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# **JOURNAL**

OF THE

**HOUSE OF REPRESENTATIVES**

OF THE

**STATE OF INDIANA,**

BEING THE

**SEVENTEENTH SESSION**

OF THE

**GENERAL ASSEMBLY,**

BEGUN AND HELD AT INDIANAPOLIS, IN SAID  
STATE, ON MONDAY THE 3d DAY OF  
DECEMBER, A. D. 1832.

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INDIANAPOLIS:

V. BOLTON, STATE PRINTER.

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1832.



15367.

# JOURNAL

## OF THE

### HOUSE OF REPRESENTATIVES,

AT THE SEVENTEENTH SESSION OF

THE GENERAL ASSEMBLY OF THE STATE OF  
INDIANA,

*Begun and held at the Capitol, in the town of Indianapolis, on Monday the third day of December, in the year of our Lord one thousand eight hundred and thirty-two; being the day appointed by law for the meeting of the General Assembly.*

THE FOLLOWING MEMBERS OF THE HOUSE OF REPRESENTATIVES  
APPEARED, AND TOOK THEIR SEATS, TO WIT:

*From the county of Wayne*—James Rariden, William Steele, Caleb Lewis, and Abner M. Bradbury.

*From the county of Dearborn*—George H. Dunn, David V. Culley and Oliver Heustis.

*From the county of Washington*—Rodolphus Schoonover and Gustavus Clark.

*From the county of Orange*—James Lynd and Shadrach R. A. Carter.

*From the county of Lawrence*—Hugh L. Livingston and William B. Slaughter.

*From the county of Jefferson*—James H. Cravens and Nathan B. Palmer.

*From the county of Rush*—Nathaniel Smith and Joseph Lowe.

*From the county of Harrison*—John W. Payne and David G. Mitchell.

*From the county of Putnam*—Lewis H. Sands and John M. Nairy.

*From the county of Fountain*—Edward A. Hannegan and Abel Claypool.

*From the county of Tippecanoe*—Aaron Finch and Morgan Shortridge.

*From the county of Franklin*—John Reid and John Roop.

*From the county of Fayette*—Marks Crume and Allen Cristler.

*From the county of Union*—Zachariah Ferguson and William Watt.

*From the county of Clark*—Benjamin Ferguson, Thomas J. Henley and John C. Parker.

*From the county of Posey*—Richard Daniel.

*From the county of Gibson*—John Hargrove.

*From the county of Crawford*—Zebulon Levenworth.

*From the county of Greene*—Drury B. Boyd.

*From the county of Owen*—Robert M. Wooden.

*From the county of Monroe*—James Parks.

*From the county of Sullivan*—John W. Davis.

*From the county of Warren*—James H. Buell.

*From the county of Switzerland*—William Bradley.

*From the county of Ripley*—William Skeene.

*From the county of Jennings*—John Vawter.

*From the county of Scott*—Elisha G. English.

*From the county of Floyd*—Harbin H. Moore.

*From the county of Clay*—Jared Peyton.

*From the county of Johnson*—Joab Woodruff.

*From the county of Morgan*—John W. Cox.

*From the county of Shelby*—Rezin Davis.

*From the county of Decatur*—William Fowler.

*From the county of Henry*—Thomas R. Stanford.

*From the county of Marion*—Robert Hanna.

*From the county of Randolph*—William Edwards.

*From the county of Bartholomew*—Jesse Ruddick.

*From the county of Vigo*—Elisha M. Huntington.

*From the county of Jackson*—James Hamilton.

*From the counties of Vanderburgh and Warrick*—Joseph Lane.

*From the counties of Perry and Spencer*—Mason J. Howell.

*From the counties of Pike and Dubois*—George H. Proffit.

*From the county of Knox*—David S. Bonner.

*From the counties of Daviess and Martin*—Erasmus H. M'Junkin and William Wallace.

*From the counties of Montgomery and Clinton*—John H. Goodbar and Jesse Carter.

*From the counties of Carroll and Cass*—Walter Wilson.

*From the counties of Hamilton and Boone, and all the country north to the great Miami reservation*—Austin Davenport.

*From the counties of Madison and Hancock*—Thomas Bell.



*From the counties of Allen, Elkhart, St. Joseph, Laporte and Lagrange—George Crawford.*

*From the county of Vermillion—James Osborn.*

*From the county of Parke—William P. Bryant and Richard Smith.*

*From the county of Delaware and all the country attached thereto—David Ribble,*

Who produced their credentials and were sworn into office by the Hon. Isaac Blackford, one of the Judges of the Supreme Court of this state,

The House then proceeded to the election of a Speaker, Messrs. Bonner and Culley acting as tellers, and on counting the first ballot, it appeared that John W. Davis had 34 votes, Harbin H. Moore 34 votes, scattering 6 votes.

No person having received a majority of all the votes given, the House then proceeded to a second balloting.

On counting the second ballot, it appeared that John W. Davis had 39 votes, Harbin H. Moore 32 votes, scattering 3 votes.

Mr. Davis having received a majority of all the votes given, was declared duly elected Speaker, and was conducted to the chair by Messrs. Proffit and Henley.

On motion of Mr. Palmer,

The House proceeded to the election of Principal Clerk, Messrs. Palmer and Dunn acting as tellers.

On counting the ballots, it appeared that Albert S. White had 69 votes, scattering 3 votes.

Mr. White having received a majority of all the votes given, was declared duly elected, was sworn into office by the Hon. Isaac Blackford, and entered upon the discharge of his duties.

On motion of Mr. Stanford,

The House proceeded to the election of an Assistant Clerk, Messrs. Crumie and Davis of Shelby, acting as tellers.

On counting the ballots, it appeared that Jesse Jackson had 66 votes, scattering 8 votes.

Mr. Jackson having received a majority of all the votes given, was declared duly elected, was sworn into office by the Hon. Isaac Blackford, and entered upon the discharge of his duties.

And then the House adjourned until 2 o'clock, P. M.

*2 o'clock, P. M.*

The House met pursuant to adjournment.

Lewis Mastin, a member elect from the county of Hendricks appeared, produced his credentials, was sworn into office by the Hon. Isaac Blackford, and took his seat.

On motion of Mr. Vawter,  
The House proceeded to the election of an Enrolling Clerk,  
Messrs. Wilson and Wooden acting as tellers.

On counting the first ballot, it appeared that

William M'Pherson, had 8 votes.

John S. Newman, 11

John W. Rush, 12

John B. Semans, 3

Pleasant Parks, 12

Thomas V. Thornton, 6

Rufus Haymond, 17

Marinus Willett, 4

Scattering, 8

No person having received a majority of all the votes given, the  
House proceeded to a second balloting.

On counting the second ballot, it appeared that

William M'Pherson, had 5 votes.

John S. Newman, 14

John W. Rush, 9

John B. Semans, 5

Pleasant Parks, 10

Thomas V. Thornton, 5

Rufus Haymond, 20

Marinus Willett, 4

Scattering, 3

No person having received a majority of all the votes given, the  
House proceeded to a third balloting.

On counting the third ballot, it appeared that

William M'Pherson, had 7 votes.

John S. Newman, 16

John W. Rush, 11

Pleasant Parks, 9

Thomas V. Thornton, 6

Rufus Haymond, 24

Scattering, 2

No person having received a majority of all the votes given, the  
House proceeded to a fourth balloting.

On the fourth ballot,

William M'Pherson had 5 votes.

John S. Newman, 21

John W. Rush, 17

Pleasant Parks, 4

Rufus Haymond, 28

No person having received a majority of all the votes given,  
the House proceeded to a fifth balloting.

On the fifth ballot,

William M'Pherson, had 3 votes.

John S. Newman, 15

John W. Rush,	23
Rufus Haymond,	32
Scattering,	2

No person having received a majority of all the votes given, the House proceeded to a sixth balloting.

On the sixth ballot,  
 Rufus Haymond had 40 votes.  
 John W. Rush, 35

Mr. Haymond having received a majority of all the votes given, was declared duly elected, was sworn into office by the Hon. Isaac Blackford, and entered upon the discharge of his duties.

On motion of Mr. Lane,

The House proceeded to the election of a Door Keeper, Messrs. Proffit and Vawter acting as tellers.

On counting the second ballot, it appeared that

John B. E. Reed had 46 votes.	
John E. Roe,	20
Scattering,	8

Mr. Reed having received a majority of all the votes given, was declared duly elected, was sworn into office by the Hon. Isaac Blackford, and entered upon the discharge of his duties.

A message from the Senate by Mr. Morris, their Assistant Secretary.

**MR. SPEAKER:**

I am instructed by the Senate, to inform the House of Representatives, that they have adopted the following resolution:

*Resolved*, That the House of Representatives be informed that the Senate has convened, formed a quorum, elected John H. Farnham, Secretary, Austin W. Morris, Assistant Secretary, Austin M. Puett, Sergeant at Arms, John Finley, Enrolling Secretary and Oliver Morse, Door Keeper, and that that they are now ready to proceed to legislative business.

And then the House adjourned until to-morrow morning at 9 o'clock.

**TUESDAY MORNING, DECEMBER 4th, 1832.**

The House met pursuant to adjournment.

On motion of Mr. Vawter,

*Resolved*, That the Clerk of the House of Representatives, in-



form the Senate, that the House of Representatives have met, formed a quorum, elected John W. Davis, Speaker, Albert S. White, Principal Clerk, Jesse Jackson, Assistant Clerk, Rufus Haymond, Enrolling Clerk, and John B. E. Reed, Door Keeper, and are now ready to proceed to legislative business.

On motion of Mr. Hargrove,

*Resolved*, That a committee of two be appointed on the part of this House, to act with a similar committee, to be appointed on the part of the Senate, to wait on the Governor and inform him that the two Houses have met, elected their officers, and are ready to hear any communication he may think proper to make, and to know of him at what time he will make a communication.

Whereupon Messrs. Moore and Hargrove were appointed that committee on the part of the House.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Vawter,

*Resolved*, That the rules and joint rules that were adopted at the last session of the General Assembly by the House of Representatives, for their government, be and the same are hereby adopted for the government of the House of Representatives, during the present session, and that the Clerk inform the Senate of the adoption of these joint rules.

On motion of Mr. Henley,

*Resolved*, That A. F. Morrison and Douglass and Maguire be admitted within the bar, as reporters of the proceedings of the House.

On motion of Mr. Culley,

*Resolved*, That the public printer be directed to print 100 copies of the rules and joint rules of this House, for the use of the members of the same.

Mr. Ferguson of C. moved the following resolution:

*Resolved*, That this House will proceed, on Thursday next, at 10 o'clock, A. M. to the election of a United States Senator, Prosecuting Attorneys and Secretary of State, and that the Senate be informed thereof, and that seats will be provided for them on the right of the Speaker's chair, and that be appointed  
ed teller on the part of this House.

Which was read, and

On motion of Mr. Lane,

Was ordered to lie on the table.

On motion of Mr. Wallace,

*Resolved*, That a committee of one be appointed on the part of this House, to act with a similar committee on the part of the Senate, to wait on the Rev. C. W. Ruter, and request him to attend in the Representative hall, this morning, and open the present session of the General Assembly by solemn prayer, and that the Senate be invited to attend in the Representative hall, and that seats be provided for them on the right of the Speaker's chair.

Whereupon Mr. Wallace was appointed that committee on the part of the House.

*Ordered*, That the Senate be informed thereof and a similar committee on their part requested.

On motion of Mr. Vawter,

*Resolved*, That the Secretary of State furnish the Door Keeper of this House, 38 copies of the Revised Code of 1830-31, also the same number of the acts of 1831-2, also a like number of the Journals of the last session of the General Assembly, for the use of the members of this House.

Mr. Vawter moved the following resolution:

*Resolved*, That the public printer be, and he is hereby authorized to print \_\_\_\_\_ copies of the Journals of this House, for the use of the members thereof, to be distributed according to law, and that the Clerk furnish said printer with manuscript copies of said Journals daily, as soon as practicable after the reading thereof.

Which was read and

On motion of Mr. Mitchell,

*Ordered*, That the same do lie on the table.

Mr. Mitchell moved the following resolution:

*Resolved*, That a committee of one member from each county be appointed to report what number of copies of the Laws and Journals are necessary, to give one to each Justice of the Peace and to each election district, and one to each public officer in each county, in addition to the usual number for public purposes;

Which was read, and

On motion of Mr. Schoonover,

*Ordered*, That the same do lie on the table.

The following message was received from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives, that they reciprocate the resolution of the House, appointing a committee to wait on the Governor and inform him that the two Houses have met, elected their officers, and are ready to hear any communication he may think proper to make, and to know of him at what time he will make a communication, and that Messrs. Pennington and Robb have been appointed a committee on the part of the Senate.

The Senate reciprocate the resolution of the House, adopting the joint rules that were adopted at the last session of the General Assembly for their government.

The Senate also reciprocate the resolution of the House, appointing a committee to act with a similar committee on the part

of the Senate to wait on the Rev. C. W. Ruter, and request him to attend in the Representatives Hall this morning and open the present session of the General Assembly by solemn prayer.

Mr. Whitcomb has been appointed a committee on the part of the Senate.

Mr. Wallace from the joint committee appointed on the part of this House, to wait on the Rev. C. W. Ruter, reported that they have performed that duty, and received for answer that he will attend instanter to open the session by solemn prayer.

Mr. Moore from the joint committee appointed on the part of the House, to wait on the Governor, reported that they have performed that duty and received for answer, that he will, on this evening, at 3 o'clock, make a communication to the Senate and House of Representatives, in the Representative Hall, in person.

On motion of Mr. Proffit,

*Resolved*, That the Senate be invited to attend public prayer in the hall of the House of Representatives, instanter.

*Ordered*, That the Clerk inform the Senate thereof.

The Senate then came down from their chamber and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, when the Rev. C. W. Ruter came in, attended by the joint committee appointed for that purpose and addressed the throne of grace with solemn prayer.

The Senate then returned to their chamber,

And the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Hanna moved the following resolutions:

1st. *Resolved*, That a committee be appointed to inquire into the expediency of establishing the interest on money actually loaned, or on notes of hand for money due and unpaid at the rate of six per cent. per annum.

2d. *Resolved*, That the said committee be instructed to inquire into the expediency of levying and collecting a tax for county purposes, on all money actually loaned and falling due on the first of January next or at any time thereafter, regulating the amount of tax according to the amount of interest, for which the money may have been loaned;

Which were read and laid on the table.

Mr. M'Nairy moved the following resolution, which was read and laid on the table.

*Resolved*, That the judiciary committee be instructed to inquire into the expediency of so amending the act regulating the juris-



diction and duties of Justices of the Peace, that no citizen shall be sued out of the township in which he lives, except when it appears by affidavit, that the debtor intends to evade the law.

Mr. Mitchell moved the following resolution:

*Resolved*, That a select committee be appointed to inquire into the constitutionality of the act entitled 'an act to ratify and confirm an act of the Legislature of Kentucky, incorporating a company to build a bridge across the Ohio river at the falls,' with leave to report by bill or otherwise.

Which was read, and

On motion of Mr. Ferguson of C.

Ordered to lie on the table.

Mr. M'Nairy moved the following resolution:

*Resolved*, That the Judiciary committee be instructed to inquire into the expediency of amending the act entitled, 'an act regulating the interest of money in the state of Indiana,' so that the interest of money or other commodity, shall be limited to the rate of 6 per cent. per annum.

Which was read and,

On motion of Mr. Proffit,

Laid on the table.

Mr. Mitchell moved the following resolution:

*Resolved*, That a select committee of five, be appointed to inquire if any and what amendments are necessary in the acts defining the powers and duties of Justices of the Peace, with leave to report by bill.

And on the question to adopt the same,

It was decided in the negative.

On motion of Mr. Ferguson of C.

*Resolved*, That the Senate be invited to attend in the hall of the House of Representatives, instantler, to hear the communication of His Excellency the Governor, and that seats be provided for them on the right of the Speaker's chair.

*Ordered*, That the Clerk inform the Senate thereof.

The Senate then came down from their chamber and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, His Excellency the Governor then came in attended by the joint committee appointed for that purpose, and in presence of both Houses, in person, delivered the following message:

GENTLEMEN OF THE SENATE,

AND HOUSE OF REPRESENTATIVES:

Clothed with those powers conferred by the Constitution upon the branches of Government, to which we severally belong, we have come together to consult on such measures as may best protect the rights, supply the wants and promote

the prosperity of our constituents; and in meeting you, for the first time, to discharge duties imposed by my official situation, I shall endeavor to present a concise and faithful outline, of the affairs of the state, adding such suggestions as, I trust, will be deemed worthy your consideration.

Since the close of the last session, the returning seasons have not been so propitious as to crown the pursuits of agriculture with the usual rewards, consequently every other branch of industry must feel a proportionate diminution. This mild rebuke is not the only affliction with which we have been visited. It has pleased the Almighty to direct to our country and to the borders of our own state, the terrific cholera, which for years, has been traversing other quarters of the globe, and marking its path with suffering and with death. As yet, however, the devastations of the destroyer, have been principally confined to a few villages and towns along the Ohio. But the influence of the seasons, in diminishing the amount of our exports, has not materially lessened our comforts, the supplies being sufficient for the consumption of the country, including any accession our population may receive by emigration, and but for the visit of the epidemic, our country can boast of a greater degree of health, than during any previous year. In these blessings, we have abundant reason, for awarding a kind Providence, our most grateful acknowledgments.

During the last spring, the peace of the frontier inhabitants of this state and Illinois, was disturbed by the movements of the hostile Indians, of the north west. The measures necessary for defence were adopted, by the Chief of the War Department, but before they could be carried into effect, marauding parties were sent out from the main body of the enemies forces, and in their descent upon the exposed inhabitants, several families and individuals, near the line of the state, and near the outskirts of our settlements, became the victims of their cruelty. These events, with the exaggerated rumors of carnage and bloodshed, and the flight of some of the citizens of Illinois, spread great alarm along the whole line of our frontier, from the Wabash to the Lake, so much so, that several settlements gave way. In this state of apprehension and continued excitement, the inhabitants of several districts dispatched expresses, representing their situation, and soliciting the presence of such a force, as would quiet the alarm and prevent the settlements from breaking up. The planting season being far advanced, and the growing of a crop essential to the support of that part of the country, your Executive did not institute an inquiry into the cause of alarm, whether real or imaginary, but determined to sustain the settlements by affording such relief as would restore confidence and repose. For that purpose, orders, with discretionary powers, were given to the Commanding Generals along the Wabash, and volunteer detachments were sent out, for short periods, under the command of Colonels Jenners and

Russell. To prevent a recurrence of the evils of alarm, upon the return of those detachments, a company of mounted riflemen, under the command of Gen. Orr, was stationed at intermediate points, from the skirts of the settlements beyond the Wabash to the Lake. These proceedings, the necessary returns, with an account of the expenses of the service, have been reported to the authorities of the General Government, and by them have been approved, giving an assurance that payment will shortly be made.

The Agents of the State, entrusted with the administration of the affairs of the Canal, have, it is believed, faithfully discharged every duty enjoined by law. The Fund Commissioners during the past summer made a sale of Canal Stock in the City of New York, to the amount of one hundred thousand dollars, at a premium of thirteen and a quarter per cent., terms honorable to the character of the state and advantageous to the work. Having embarked in the undertaking, it is our imperious duty to maintain our credit, by the adoption of certain and efficient measures, promptly to meet all our engagements. Including the St. Josephs feeder, nineteen miles of the middle section, that portion of the work authorized to be placed under contract, have been taken at about one hundred and seventeen thousand dollars, five thousand less than the Engineers estimates, and it is believed the high standing of the contractors is a sufficient guarantee for a faithful completion of the work.

Whether the interests and progress of the work will require additional legislation, the present session, will be your province to inquire. I will not withhold the opinion, that among the various topics deserving your attention, there are none fraught with more important consequences to the future prosperity of the state, or have a stronger claim to your deliberations than the enterprise in which we are now embarked. It is one approved by the people of the state, if the decisive majorities by which the several enactments of successive Legislatures, have passed in its favor, afford any evidence of public opinion. The question of expediency is no longer open for discussion, it has been settled and cannot now be reversed. The state has taken her stand and cannot recede without a sacrifice of her interest or honor, which should admonish us of the necessity of harmony in our councils, that we may not sport with either, but persevere, looking to the completion of the work for the promised benefits. Before I leave this subject, allow me, gentlemen, to press upon your notice the necessity of an immediate adjustment with Ohio, of the terms on which the Canal is to be extended to the Lake, through her territory. Her course will no doubt be liberal and worthy of her rank among the members of the confederacy, but if, through any motive, she should throw obstacles in our way, by refusing either to continue the work or permit us to do it, that determination should be known,



that we may adopt some other route. No delay should be permitted to take place, as it is evident, upon a moments reflection, that the northern termination of the Canal must be at the Lake, or the object of the undertaking will not be attained.

The sales of the Canal lands, at public outcry, in October, and by entry since, have averaged something more than three dollars per acre, amounting in all to about forty eight thousand dollars, of which, with other details of the several boards, seasonable reports will be made to the Legislature.

The Commissioner on the Michigan Road, by economy and good management of the fund, placed at his disposal, has added all the improvements to that thoroughfare, which were contemplated, at an expense of about fifty-four thousand dollars. The sales of the road lands have amounted to about fifty-two thousand dollars. A detailed report from that officer will be laid before you.

The annual report of the Agent of the three per cent. fund, will exhibit the sum disbursed the present year. The dividend due the state for the last half of the year 1831, was not received until October last, the delay of which, has prevented improvements that might have been made the last spring and summer.

The visitor to the State Prison, in the examination required by law, has not discovered any delinquencies or abuse of power on the part of the Superintendent. The police of the Prison is believed to be salutary, and well comports with the spirit of our laws, placing the convicts under such restraints as are sanctioned by the dictates of humanity.

In May, the remainder of the Indianapolis donation, belonging to the state, was valued by the commissioners, selected for the purpose, and in compliance with the directions of the Legislature, it was offered at public sale, by the Agent of the state. The sales amounted to upwards of thirteen thousand dollars, leaving unsold lots, at valuation, to the amount of three thousand six hundred and fifty dollars. At the suggestion of the architect who is to build the State House, with the concurrence of the Commissioners, the block north of the State House square, was reserved from sale, to await the determination of the Legislature, as to the propriety of adding it to the public ground, making an oblong square, corresponding with the form of the edifice to be erected. The commissioners appointed to contract for the building of the State House and superintend its erection, have made an agreement with Mr. Town, the artist, whose plan was adopted by the Legislature, by which he is to complete the building for fifty eight thousand dollars. The work, in all its parts, is to be strictly conformable to the plan and specification presented to the Legislature, and in its construction, as regards ornament, neatness, strength and durability, nothing is to be omitted. The whole is to be completed by November, 1837. At the time the Commissioners entered into the agreement, they had not sufficient data to estimate

the probable avails of the donation lands, and they introduced a clause in the agreement, reserving the right to change the style of the finish or the form of the building, by dispensing with the dome, the cupola, upper part of the rotunda, zinc for the roof and cornice, and the stucco work, and furring necessary for the colonades and ornamental plaistering of the halls. It is now ascertained that the fund will be nearly if not quite equal to every expense, and as the building, according to its original plan, will be elegant in its appearance, with an exterior almost fire proof, I respectfully advise that the Commissioners may be directed to proceed with it according to the original design.

The Auditor of State, in compliance with the instructions of the Legislature, has obtained an account of the relinquished lands within this state, from the Land Offices, and the additional tract books are in a course of preparation. This will contribute much to the improvement of our system of revenue, so far as it is derived from lands, but before it will attain that perfection of which it is susceptible, further legislation will be required. With a view to its further improvement, it should be the duty of the Auditor to take from the general tract books, the number of acres of taxable lands in the several counties, and open an account with each, adding yearly, the lands that may become subject to taxation, a transcript from which account should be annually transmitted to the boards doing county business, that they may detect imperfections in the listers returns, and send them back for correction. The Auditor should also be required to supply those counties that may be without tract books, or which have been furnished with imperfect ones. With these preparatory steps, the ensuing year, at the next session, the Legislature will perceive the necessity of dispensing with the services of the listers, as regards lands, oftener than once in five years, and then only for the purpose of giving it the rates known to the law, by which the confusion now complained of, can be remedied, and from three to five thousand dollars of expense annually saved to the counties.

The Joint Resolution of the last General Assembly requesting an appropriation by Congress for the extinguishment of the Indian title to lands within this state, was forwarded to our delegation, and in compliance with the request the necessary provision was made. Three citizens were designated by the Secretary of War, to constitute a commission to carry into effect the object of the appropriation. It was considered an object of paramount importance to extinguish the title of the Miamies to their lands already surrounded by our population, situated almost in the heart of the state, and immediately on the line of the canal, interfering very much with the civil organization of our territory. The prompt and cheerful manner in which the principal and subaltern Chiefs of the tribe obeyed the summons to



the treaty, induced the belief that the negotiation would prove successful, but in their response to the propositions of the commissioners, they positively refused to go westward, or sell the remains of their lands.

It is with no little pleasure that I announce to you that the negotiation with the Potawatamies has been more successful, and that they have sold about six millions of acres in Indiana, Illinois, and Michigan, including their entire claim in this state, with the exception of some reserves. The terms of the treaty have not been given to the public, but it is understood they are such as the Senate of the United States will not hesitate to ratify.

It has been anticipated that the position of the remnant of the Miami tribe of Indians in this state, would be productive of difficulties, as our population in its advance, should come in contact with, and surround them. The relations between savages and civilized communities when they necessarily come in contact, always present questions of extreme difficulty as well as delicacy. It is universally admitted that the earth was designed for improvement and tillage, and the right of civilized communities to enter upon and appropriate to such purposes, any lands that may be occasionally occupied or claimed as hunting grounds, by uncultivated savages, is sanctioned by the laws of nature and of nations. But humanity and justice require, that in appropriating the lands of the savage to the purposes of civilized society, the use of forcible, or violent means should be adopted only in cases of evident necessity, and that ample compensation should be made to those who are divested of the territory on which they were accustomed to pursue game for their support. Accordingly it has been the settled policy of the general government to resort to negotiation instead of conquest, and from time to time, as the progress of our population required, to purchase of the various Indian nations or tribes who were in possession of extensive districts of territory, such tracts of land as they were willing to relinquish; still allowing them, so long as their situation, number, and circumstances would permit, an exemption from the operation of our laws, and permitting them to exercise some of the attributes of sovereignty, by retaining and enforcing their own peculiar laws and customs. Under this practice of our government the once numerous tribe of Miamies gradually disposed of their extensive domains, until their possessions are reduced to a few sections in addition to the reserve they occupy. Their diminished numbers, their present condition, circumstances and habits, forbid the idea that they are capable of exercising any attribute of sovereignty, or of maintaining any municipal regulations among themselves. Situated as we are, with this tribe in the midst of our population, permitting the commission of the highest crimes without the shadow of civil authority to repress them, it will be for the Legislature to determine whether

the existing state of things, sound policy, our duty towards them and the peace and safety of the surrounding population, do not alike require an extension of a portion of our laws over them, and it, from your views, you think it advisable to exercise jurisdiction over this people, the duty of providing for the preservation of the public peace and public morals, the prevention and punishment of crime, and the protection of the property of our citizens from further trespass, will be yours. In the performance of that duty, it should be remembered, that this race have strong claims on our sympathies and justice, and in the regulation of their conduct, a prospective operation should be given our laws, the initiatory measures comporting with their present condition, and progressing with their advances in civilization.

You will no doubt perceive the necessity of pointing out some more efficient means of preventing the sale or delivery of spiritous liquors to this people, which is the parent of their crimes and misfortunes, and by which individuals are enabled to strip and keep them destitute of even the necessaries of a savage life.

I have already alluded to the strong claims which the Canal has upon our exertions; one great facility to its economical and speedy completion, would be the immediate settlement of the country lately obtained of the Indians. Will it not be well to express to Congress, through our delegation, our earnest desire that these lands may be surveyed and put into market, with the least possible delay?

The memorial of the last Legislature, recommending a more perfect organization of the National Militia, to the consideration of Congress, was forwarded to the Indiana delegation, without having elicited the attention of that body. The burthens of the system and the discordant plans of the several states, call loudly for the interposition of the National Legislature. Supposing the files of the office of Secretary of State would furnish information sufficient to enable me to present a satisfactory view of the subject, it was my intention to invite your special notice of them, but being disappointed in this, the purpose is necessarily postponed that it may be sought elsewhere.

I regret that I am under the necessity of saying that the failures of the militia officers to report the strength of their respective commands are increasing. For the present year, not more than three eighths of our actual strength is reported to the Adjutant General. As our dividend of the 200,000 dollars, yearly appropriated under the act of Congress, of April, 1808, is based on the strength of our militia returns, these delinquencies are extremely detrimental to our interests. A majority of the commandants of brigades, have neglected to comply with the law, requiring a report of the number and description of arms, heretofore distributed in their several commands, although their attention was specially called to the duty by the Quarter Master General.

There being a scarcity of arms, during the late Indian alarm, a requisition was made on the ordnance department of the United States, for a thousand stand, which were supplied, and have been assigned to such portion of the militia, as had not shared in former distributions.

To the State Library, the additions specially authorized by law, have been made, and the annual appropriation for its increase, has been expended under the direction of its officers.

Among the numerous subjects that naturally force themselves upon the attention of those vested with the responsible trust of legislating for a new and growing community, there is none of paramount importance to that of providing for the education of the great mass of the rising generation, by a system of common schools, adapted to the situation and circumstances of the people. It too often happens that communities and those that occupy responsible situations in the administration of public affairs, while in pursuit of present good, seem insensible of the relation in which they stand to posterity. They too often forget that their acts are to give complexion to the character of succeeding generations, and perhaps fix their political destiny, and this is because the consequences of a neglect of duty, in this particular, are not present and obvious, but develop themselves in time to come.

In Indiana there are not less than one hundred thousand children, of suitable age, dependant upon our efforts for preparation for future usefulness. If they receive it, they can succeed us in the professions, arts, sciences, commerce and agriculture, and safely take upon themselves the charge of self government, continuing our institutions, with such improvements as the lights of experience may point out. Without this outfit at our hands, it will be their fate to see others, whose ancestors were more faithful, reap the rewards of enterprise and enjoy the honors and emoluments of office; or what would be still more humiliating and reproachful to us, they may, for the want of a knowledge of the principles of our government, not fully appreciating its blessings, become instruments in the hands of demagogues and tyrants, to dishonor its character or change its form.

It is admitted that at present the state is without tangible resources for the accomplishment of so much; and it may be asked how are we to minister to the wants of so many? Because we cannot accomplish the whole we should not despair and make no struggle. If we cannot go to the full extent of our wishes, let us go as far as the means and resources within our reach will enable us, and we shall have discharged our duty. Let us acknowledge the whole debt and discharge it in part. But are there no elements from which, if properly combined, resources may be drawn for the accomplishment of much? Coming directly from among the people, you can best answer the question. I will nevertheless offer a remark or two. Amend the law pro-



viding for schools in the congressional townships so as to permit the minority to avail themselves of the corporate power, in all cases when the majority refuses to levy a tax for school purposes. This can be done by registering their names with the trustees and confining the operations of the law, to those only who approve its provisions and unite for the support of schools. Make it the duty of the trustees annually, to return to the Clerk of the county, the number of schools, number of scholars, the time kept up, with the price of tuition, to be transmitted by the Clerk to one of the state officers, by him to be laid before the legislature in tabular form. Appropriate from the state treasury the annual surplus money, to be apportioned among the schools that may be supported by tax or contribution, six months in the year, leaving it with each legislature to name the sum that shall be divided, after paying all other demands on the treasury. In the spring of each year, make it the duty of the trustees to present each citizen of the township with a subscription paper for the benefit of schools. In the month of October, of each year, require them to make report to the colonel of the regiment, of every individual who may have contributed in money or labor, one dollar and upwards, and excuse all who may have contributed that sum, from liability on account of his delinquencies in mustering that year. The latter proposition received favor with the Senate last session. I beg leave, most earnestly, to recommend its adoption.

For many years the public lands have been a fruitful theme for declamation as well as of protracted and confused legislation, and the discordant views of the new states have tended much to embarrass an adjustment of the question. The subject has now resolved itself into three distinct propositions. The first proposes gradually to reduce the price of public lands in proportion to the length of time they have been offered for sale. The second proposes to transfer them to the states wherein they are situated for a mere nominal consideration, and the third proposes to divide the money arising from the sales among the several states, to be applied to the purposes of education, internal improvements, &c. The first proposition has often been before Congress, and that body has positively refused to assent to the measure. The second has not received the action of Congress, but as a large majority of the states has no new lands, we can hardly promise ourselves that it would receive a more favorable consideration than the first. The third proposition was for the first time brought before Congress at the last session, and passed the Senate by an unusual majority. Gov. Hendricks and Gen. Tipton giving it their support, but in the lower House, the bill met with opposition, and on a motion to postpone, it was lost, our members voting with its enemies, when their support would have saved the bill.

The proceedings of Congress in this and all other cases, are

made public, and although the votes of members, with all other public acts, are legitimate subjects for examination, yet it is admitted that there are but few instances in which an Executive of a state will stand justified, in bringing before the public, the opposing votes of the members of each branch, and in no instance should it be, to cast censure on the members; nor is that the object now, in pointing out the disagreement of our Senators and members of the House. Their opposing attitude, on a question of deep interest to the state, is doubtless the result of an honest difference in opinion, and it is that you may advise an united effort, that I have permitted myself to name it.

The object of the bill, as it passed the Senate, was to dispose of the monies arising from the sales of the lands for five years, by giving to the new states in which the lands are sold *fifteen per cent.* of the proceeds, including the per cent. they now receive, and dividing the balance among all the states, in proportion to the number of inhabitants or number of members to Congress from each. Our part of the whole sales in the United States, would, for this year, have amounted to near two hundred thousand dollars, had the bill passed the lower House. With the new lands coming into market, our dividend would soon have exceeded that sum for each year, and at the end of the five years, they would amount to ten or eleven hundred thousand dollars, a sum that would school fifty thousand children six months in each year of the time, leaving a large balance to be applied to our rivers, roads, or the canal, as the Legislature might think best. It should not be forgotten that the sales of the lands are continually progressing, by which means from seven to eight hundred thousand dollars will be annually withdrawn from the state, never to return; that while this draining process is going on, the choice and most valuable lands will be sold, and for each year spent in vain efforts, to induce Congress to do that which they have repeatedly refused to do, reduce the price, we will loose more than that sum.

It is worthy of remark also, that in our acceptance of the offer made by the bill, the door is not closed against a reduction in the price or to a transfer to the new states. Congress can either graduate and reduce the price, or cede to the states, as may hereafter be thought advisable.

From these remarks, you may perceive, that my opinions, harmonize with the views of the Senators, and if you think with me, that it is best to take the money offered, I would advise you to request our Representatives to unite with our Senators, and I am satisfied they will yield a compliance with your wishes. That it may be well understood, I repeat that no censure is due our Representatives, nor are they the less worthy of your confidence, because of their differing in opinion with our Senators. The object is to reconcile that difference, and prevent the defeat, at this session, of a measure by which we could avail ourselves of the



means for accomplishing much for the benefit of our constituents.

With my impressions as to the imperfections of our Probate system, and my belief of the practicability of substituting a better, I am induced to solicit a share of your attention to that subject. It is not from a knowledge or suspicion of impropriety on the part of any who fill the situation of Probate Judge. The principal objections are to be found in the great number of Judges. In consequence of their numbers, the emoluments are necessarily so small as not to invite to their acceptance, the requisite business character and legal attainments, essential to a prompt and correct discharge of the duties of the office, nor will they compensate the individual for the time he would consume in vacation, if he should attempt the acquisition of any qualifications, in addition to those carried with him to the place. This objection is verified by the fact, that in some counties, it is with difficulty that any one will consent to serve; in others, no poll for the election of Probate Judge, has been opened since the office was created, and resignations are continued and frequent.

In the organization of judicial tribunals, much relating to the rules of practice or modes of proceeding, is necessarily left to the discretion of the courts; and these rules of practice, when once established, constitute a part of the law.

It is almost as important and desirable that a general uniformity should exist, as to these practical rules or modes of proceeding, as that the general principles of law and stationary regulations should be uniform throughout the same community.

But with a separate and distinct tribunal in each county in the state, without the least intercourse or connection with each other, and without a knowledge of these general principles and maxims by which courts are governed, in the exercise of legal discretion, it is impossible for any thing like uniformity of proceeding to exist; or that a regular system of prompt and strict accountability should be introduced, which is so necessary to protect the rights of widows and orphans, who are seldom present, looking after their own interest. That the plan is not a good one, two facts are sufficient to demonstrate. A considerable portion of the cases on the Probate dockets, remain unsettled for from five to fifteen years, and a great number of estates, contrary to all expectation, are reported as insolvent, resulting no doubt from a disposition to hold on to the money and hunt up offsets, when settlements are demanded.

There are two modes by which, as is believed, the system can be materially improved, and with a saving of expense. Divide the state into four Probate circuits, give each county two terms in the year, and elect by joint ballot of the Legislature, four Judges, with salaries of six hundred dollars per year. It is thought that will be a less sum than will be paid to the present Probate

Judges after the ensuing year. Another plan is, to transfer the business to the circuit courts and give an additional term in the year. Let one of the terms be exclusively appropriated to chancery and Probate causes; the other two terms to be appropriated to common law causes. If the courts, at the common law terms should be authorized to make interlocutory orders in Probate and chancery causes, it is believed that one term in each year will be fully sufficient for their final hearing and settlement.

Upon this plan, one other object can be easily attained; if any person should be imprisoned at the time of the chancery term, upon a criminal charge, and unable to give bail, the county authorities could be authorized to summon juries at that term for his trial, in the same manner as heretofore directed, in cases of special sessions of the circuit courts. It is believed that two hundred dollars each, will be a sufficient compensation to the circuit Judges, for this additional labor, the aggregate of which will fall far short of the amount that will be paid the Probate Judges for the services of the past year.

Ever since the commencement of our state government, frequent applications have been made for the interposition of the power of the Governor to remit fines and forfeitures and grant reprieves and pardons. Encouraged with success, petitions have multiplied, and during the last year of the time of my predecessor, fines and forfeitures were remitted to a large amount, and pardons were granted to fourteen convicts. Numerous applications of the kind have been made the past year, and the force of precedent has compelled a compliance with similar requests for the remission of nearly an equal sum and the pardon of five or six convicts. Without abusing the grant of power and rendering the laws inoperative, it is believed its exercise cannot be so frequent; and having come to the resolution not to disturb the acts of the other departments of government, except in extraordinary cases, I deem it my duty to advise a review of the penal sanctions of our criminal code, that you may apply the corrective should you find the penalties unreasonable or cruel.

You are no doubt aware of the severe pecuniary embarrassments, under which, almost every class of our citizens are labouring; and of the complaints of distress heard in many parts of the state; and it is presumed you are apprised of the fact, that among the remedies spoken of, to prevent the further aggravation of the evils of a decreasing circulation, to mitigate the existing distress, the establishment of a State Bank and branches seems to be concentrating the largest share of public attention. The proposed plan is, so far as understood, that the state shall take one half of the stock, say eight hundred thousand dollars, and individuals the other; that the state shall procure her half of the capital by a loan for thirty years, at five per cent. interest, and when redeemed by the accruing bank dividends, the money borrowed to be exclu-

sively appropriated to the benefit of schools. In other states such institutions have been successful and beneficial, but it will be your place to determine as to the practicability and policy of the measure, taking into consideration the situation and circumstances of the country, when it is matured and brought before you.—In testing its propriety, two enquiries are essentially important. Would the introduction and creation of active capital, at this time, be of service to the people? And can we command the talent and integrity necessary to the successful management of such an institution? If these enquiries are satisfactorily answered, it will be your duty so to guard the necessary grants of corporate powers, as will secure the public against their abuse, and preserve unimpaired the credit and integrity of the state.

The official exposition of the Treasurer of State will be laid before you, giving such a view of our financial concerns as will satisfy you that our revenues are equal to every demand upon the treasury.

In providing for the necessities and promoting the prospects of a rapidly increasing population, we have already an ample field for the exercise of talent, crowded with suitable objects of our care. The recent acquisition of territory from the Indians, will extend the sphere of our jurisdiction and present us with new subjects of legislation. With this extended field before us, we have every motive to stimulate us to industry and perseverance in our efforts to augment our population and increase its comforts; to encourage individual enterprise and industry; to add facilities to intercommunication, invite the introduction of capital, and develop and improve the resources of the state.

The guardianship of the public weal has been committed to your zeal, fidelity and wisdom, and in your supervision, if my humble stock of experience will contribute any thing to the benefit of the object of your charge, or tend to the advancement of our rank with the sister states, you may command an earnest co-operation.

The Senate then retired to their chamber.

On motion of Mr. Proffit,

*Resolved*, That the public printer be furnished with the address of His Excellency the Governor, and that he print for the officers and members of this House, 2000 copies thereof.

On motion of Mr. Lane,

The resolution moved by Mr. Ferguson of C. and laid on the table, this day, relative to the election of U. S. Senator, Prosecuting Attornies and Secretary of State, was taken up.

Mr. Rariden moved to amend the same, by striking out the words "United States Senator;"

Which motion, was carried in the affirmative.



Mr. Proffit moved further to amend the same, by striking out the words "Prosecuting Attornies;"

Which motion was decided in the negative.

Mr. Steele moved to insert after the word "State," the words "and canal commissioners;"

Which motion was decided in the negative.

Mr. Daniel moved further to amend said resolution by striking it out from the resolving clause;

Which motion was decided in the negative.

A motion was made by Mr. Mitchell to lay said resolution on the table;

Which was decided in the negative.

Mr. Schoonover moved further to amend the same by striking out the words "Secretary of State;"

Which motion was decided in the negative.

The said resolution as amended was then agreed to;

Whereupon, the Speaker appointed Mr. Steele teller on the part of the House.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Hannegan moved the following resolution:

*Resolved*, That this House will proceed on to-morrow, at half past 2 o'clock, P. M. to the election of a United States Senator, to fill the vacancy occasioned by the expiration of the term of the Hon. John Tipton; that the Senate be informed thereof, and that seats will be provided for them on the right of the Speaker's chair, and that \_\_\_\_\_ be appointed teller on the part of this House.

Before the question was put on the adoption of said resolution,

The House adjourned until to-morrow morning at 9 o'clock.

### WEDNESDAY MORNING, DECEMBER 5th, 1832.

The House met pursuant to adjournment.

Mr. Palmer, after having obtained leave, presented a petition of the Trustees of the Hanover Academy, praying an amendment to their charter;

Which was read and referred to a select committee, of Messrs. Palmer, Steele, and Cravens.

Mr. Hanna after having obtained leave, presented a petition of John Nash, praying to be divorced from his wife Hannah Nash;

Which was read, and laid on the table.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

The Speaker announced the following as the order of business to be observed, until otherwise directed by the House.

1. Reading the journals of the preceeding day.
2. Petitions, memorials, and remonstrances.
3. Reports from standing committees in the following order: 1, of elections; 2, of ways and means; 3, on the judiciary; 4, on education; 5, on military affairs; 6, on the affairs of the State prison; 7, on the affairs of the Town of Indianapolis; 8, on claims; 9, on roads; 10, on canals and internal improvements; 11, on public buildings.
4. Reports from select committees, (except the committee of enrolled bills, which may be reported at any time.)
5. Resolutions of the House.
6. Joint resolutions.
7. Bills.
8. Orders of the day.

The Speaker appointed the followins Standing Committees, to wit:

1. Committee of Elections—Messrs. Crume, Bell, Stanford, Hargrove, Reid, Cox, Parks, Lynd and Fowler.
2. Of Ways and Means—Messrs. Palmer, Vawter, N'Nary, English, Bonner, Payne, Cristler, Stanford, and Carter of O.
3. On the Judiciary—Messrs. Moore, Huntington, Dunn, Finch, Livingston, M'Junkin, Cravens, Hannegan, Rariden, and Bryant.
4. On Education—Messrs. Rariden, Ferguson of C., Daniel, Mitchell, Slaughter, Buell, Proffit, Payne, and Vawter.
5. On Military Affairs—Messrs. Wooden, Schoonover, Henley, Reid, English, Steele, Howell, Lane, Skeene, and Bradley.
6. On the affairs of the State Prison—Messrs. Henley, Ferguson of C., Ruddick, Goodbar, Hamilton, Smith, Roop, Levenworth, and Lowe.
7. On the affairs of the Town of Indianapolis—Messrs. Hanna, Lynd, Levenworth, Davenport, Claypool, Ferguson of U., Heustis, Woodruff, Hargrove and Mastin.
8. On Claims—Messrs. Culley, Schoonover, Bell, Carter of M. & C., Boyd, Clark, Pruitt, Ribble, Watt, and Shortridge.
9. On Roads—Messrs. Lane, Wallace, Ruddick, Sands, Osborn, M'Nary, Mastin, Davis of Shel., Peyton and Bradbury.



10. On Canals and Internal Improvements—Messrs. Wilson, Finch, Huntington, Hannegan, Cravens, Osborn, Buell, Culley, Crawford, and Edwards.

11. On Public Buildings—Messrs. Dunn, Bonner, Wilson, M<sup>r</sup>. Junkin, Moore, Bryant, and Lewis.

*Ordered*, That the Clerk inform the Senate of the appointment of the last named committee.

The House then resumed the consideration of the resolution moved yesterday by Mr. Hannegan, relative to the election of a United States Senator, depending at the adjournment of last evening;

When Mr. Hannegan so modified said resolution as to provide for the election on Friday next, instead of to-morrow, and to request the concurrence of the Senate.

Mr. Payne moved to amend said resolution, by striking it out from the resolving clause, and inserting in lieu thereof the following:

“That the judiciary committee be instructed to inquire into the expediency of so amending the act for the formation of Congressional Districts, and for the election of Senators and Representatives in Congress, approved January 7th, 1831, as to provide that the Senate and House of Representatives, shall jointly elect Senators in Congress *viva voce*, and that they report by bill or otherwise.

Mr. Dunn moved to lay said resolution and proposed amendment on the table;

Which motion passed in the affirmative.

On motion of Mr. Parker,

*Resolved*, That a committee of two be appointed on the part of this House, to act with a similar committee on the part of the Senate, as a committee of enrolled bills.

Whereupon, Messrs. Parker, and Bryant were appointed that committee.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Cravens,

*Resolved*, That a committee of seven, consisting of one member from each judicial circuit be appointed to prepare and report a bill dividing the State into Congressional Districts.

On motion of Mr. Payne,

*Resolved*, That the Message of His Excellency the Governor be referred to a committee of the whole House, and made the order of the day for Friday next.

The Speaker laid before the House the following communications from the Secretary of State, which were severally read and referred to the committee of Ways and Means:

# SECRETARY'S OFFICE, DECEMBER 4th, 1832.

The Secretary of State, in obedience to the requisitions of the "Act to provide for the distribution of the laws and journals and for other purposes," approved February 10th, 1831, respectfully reports to the General Assembly, that contracts have been made for the public printing, with the following individuals, for one year, ensuing the 27th day of August last, viz:

With Douglass & Maguire, for the laws, &c. of the present session, bills of the House of Representatives and blanks for the public offices.

With Alexander F. Morrison for the journals, bills and orders of the Senate, and

With Nathaniel Bolton for the journals and all orders of the House of Representatives except bills.

The prices are as follows, viz:

Composition, for 1000 m's plain, at	40 cents.
"                    "    Rule and figure,	80
Press work, medium, per token of 10 $\frac{1}{2}$ qrs.	40
"                    royal                    "                    "	45
Blanks, per ream,	\$10 00

The laws and journals to be ready for delivery within 25 days after the rising of the General Assembly, and the bills and orders to be done with all possible despatch.

A contract was made with John W. Redding, for furnishing 150 cords of wood, of suitable size and length for the chimneys in the Court House, at 73 $\frac{1}{2}$  cents per cord, one half to be delivered by the first of November last, the other by the first of the present month.

Samuel J. Patterson was the contractor to distribute the laws and journals of the last session of the General Assembly, in the 1st Judicial Circuit, at the sum of

David Buchanan in the 2d at	\$59 00
Solomon Wells, 3d	39 00
E. M. Patterson, 4th	39 00
R. Patterson, 5th	44 00
Isaac Fisher, 6th	34 00
George W. Moore, 7th	73 00
	37 50

A contract has been made with J. & P. Landis for the necessary stationary, for the use of both Houses of the General Assembly, at the following prices, viz:

Hot pressed post paper,	\$5 50 per ream.
Cap paper,	2 75
Cold pressed, No. 1,	4 00
do. 2,	3 62 $\frac{1}{2}$
Fine quills, best quality,	3 00 per hun.

c	2d.	“	No. 4,	2 00
“	3d.	“	“ 7,	1 00
“	Last quality,			37½
Mantau ribbon,				15 per piece.
Tapes, per dozen,				34
Cork inkstands,				1 11 per doz.
Sand,				11 per lb.
Ink powder,				1 15 per doz.
bottles,				2 50 “
Crayón pencils,				37½ “
Wafers,				75 per lb.
Sand boxes,				1 25 per doz.

All other stationary not mentioned, at cost and carriage.

The above propositions were accepted with a modification as to price and quality of wafers and quills, made by the Treasurer, with J. & P. Landis.

A contract was made with John Cain, to half bind 2500 copies of the laws of last session, at 12½ cents per copy, for which he was paid the sum of \$300.

Respectfully submitted,

JAMES MORRISON.

The Secretary of State, discharging the duties of Librarian, respectfully reports to the General Assembly, the following expenditures for books, since his last report, viz:

Paid Robert Goudy a balance of				\$17 50
For 14 volumes of Family Library				9 75
N. M'Carty, for Robertson's work,				7 50
Josiah Drake, for 7 volumes Burk's works,				8 00
6	“	Johnson's work,		9 00
1	“	Recardo's Political		
		Economy,		1 50
19	“	Family Library,		11 02
1	“	Kame's Elements,		1 50
1	“	Malte Brun, (5th vol.)		2 50
3	“	Robert of Paris,		1 37½
10	“	Cabinet Cyclopedia,		6 80
2 volumes		Marshal's Washington,		\$6 78
5	“	Cabinet Library,		2 81
1	“	Sallust,		56
3	“	Family Library,		1 74
11	“	“ “		6 16
2	“	Westward Ho!!		1 75
2	“	Heidenman,		1 75

Paid Walter Lowrie, by the Hon. W. Hendricks, as follows, viz:

For 1 copy Gales & Seaton's Debates, 1 vol. 1st part,				\$5 00
2	2d.			9 75

	3	1st.	6 00
	4	2d.	10 00
Elliott's Debates, 4 vols.			12 50
			<hr/>
			43 25

There have been received by other states, the following, viz:

Laws of New York,	1832,	3 copies.
" " New Jersey,	"	2 "
" N. Hampshire,	"	1 "
" Ohio,	"	1 "
" Kentucky,	"	2 "
" Alabama,	"	2 "
" Massachusetts,	"	2 "
" Louisiana,	"	1 "
" Virginia,	"	1 "

There has been paid to John Cain, for binding laws of other states and other books of the Library, since last report, the sum of \$53 50.

Respectfully,  
JAMES MORRISON.

N. B. Two copies of Gales and Seaton's Debates and two copies of Debates on the adoption of the Federal Constitution, were sent for, agreeably to the Joint resolution of the 26th January last, and fifty dollars forwarded to the Hon. Wm. Hendricks. This sum was supposed to be adequate, but as appears by the above bill, was little more than sufficient to purchase one copy of each.

And the House adjourned until to-morrow morning, at 9 o'clock.

#### THURSDAY MORNING, DECEMBER 6th, 1832.

The House met pursuant to adjournment.

Mr. Clark presented a petition of Helkeah Woodfork of Washington county, charged with perjury, praying an act to authorise a special session of the Circuit Court of said county, for his trial, accompanied by a petition of sundry citizens of said county, to the same purport;

Which was read, and

On motion of Mr. Schoonover,

Referred to a select committee of Messrs. Clark, Payne and Hamilton.



Mr. Vawter presented a petition of John Boner of Jennings county, praying for relief;

Which was read, when

Mr. Vawter moved to refer the same to the members from the counties of Jefferson, Jennings and Bartholomew.

Pending said question of reference,

A motion was made by Mr. Palmer to lay said petition on the table;

Which motion was carried in the affirmative.

Mr. Proffit presented a petition of Nancy Johnson and others, praying for the passage of an act to authorize the sale of real estate;

Which was read and referred to a committee on the judiciary.

Mr. Osborn presented a petition of Wm. Ayres and others, praying an amendment to the act establishing a certain State road therein named;

Which was read and referred to the committee on roads.

Mr. Lane presented a petition of Lumbert Frishy and others, praying for the passage of an act to authorize Moses Matthey to build a mill dam across Little Pigeon creek, also a remonstrance of sundry citizens against the same;

Which was read, and

On motion of Mr. Howell,

Ordered, That the same do lie on the table.

On motion of Mr. Wilson,

Resolved, That the judiciary committee be instructed to enquire into the expediency of organizing the judicial circuits, so as to form a judicial circuit to be composed of the counties of Carrol, Cass, Miami, Grant, Wabash, Huntington, Allen, La-grange, Elkhart, St. Joseph, and Laport.

On motion of Mr. Sands,

Resolved, That the judiciary committee be instructed to inquire into the expediency of authorizing the Justices of the Peace, within the several counties, to do all business that is now entrusted to the several boards of County Commissioners.

Mr. Steele moved the following resolution,

Resolved, That the committee on military affairs be instructed to inquire into the expediency of so amending the militia law of this State, as to provide for the listers of taxable property, within their several counties, at the same time the list of property is taken, to make out a complete list of the full strength of men and arms, within their several districts, and report the same annually, to the Adjutant General, which report shall be taken as the full strength, of the military force of the State, and that all musters be repealed except officers training musters, and volunteer musters, by companies or otherwise.

Mr. Henley moved to lay said resolution on the table;

Which motion was decided in the negative.



And on the question to adopt the same, it passed in the affirmative.

Mr. Bell moved the following resolution:

*Resolved*, That the following shall be attached to, and constitute one of the standing rules of this House, viz: Each member calling for the ayes and naes, shall rise from his seat to do so, and address himself to the Speaker, and if the call is sustained by a second member rising, and calling in like manner, the Speaker shall name the members making the call, that their names may be registered upon the journal.

And on the question to adopt the same, it was decided in the negative.

A message from the Senate by Mr. Farnham their Secretary:

*Mr. Speaker,*

I am instructed to make known, to this House, that Messrs. Beard and Leviston have been appointed on the part of the Senate, a committee on enrolled bills.

Also, that Messrs. Orr, Farrington, Hillis, Blair, Dumont, Hanna and Fletcher have been appointed a joint committee on public buildings.

The following message was received from the Senate by Mr. Farnham their Secretary:

*Mr. Speaker,*

The Senate have adopted the following resolution, viz:

*Resolved*, By the Senate, the House of Representatives concurring, that the Senate will on this day at 2 o'clock, P. M., meet the House of Representatives in their Hall, for the purpose of electing a Secretary of State and Prosecuting Attornies in those Judicial Circuits, in which the terms of Circuit Prosecutors will expire during the present session of the General Assembly.

Mr. Feeny has been appointed teller on the part of the Senate.

On motion of Mr. Huntington,

*Resolved*, That this House reciprocate the resolution of the Senate, fixing upon this day for the election of a Secretary of State, and Prosecuting Attornies, where vacancies have occurred, and that \_\_\_\_\_ is appointed teller on the part of this House;

Whereupon,

The Speaker appointed Mr. Huntington teller on the part of the House.

*Ordered*, That the clerk inform the Senate thereof.

On motion of Mr. Huntington,

*Resolved*, That the committee on roads be instructed to inquire into the expediency of establishing a state road, from the

National road, in Vigo county, Indiana, west of the Wabash river, to commence at the termination of a state road at that point, and running to the state line between Indiana and Illinois, so as to intersect the road from Terre Haute to Danville in Illinois, with leave to report by bill or otherwise.

On motion of Mr. Ferguson of C.,

The resolution moved by Mr Hannegan on the subject of electing a United States Senator, and laid on the table yesterday, was taken up; when

Mr Payne so modified the amendment proposed by him to the same, as to direct the judiciary committee to report a bill conformably to the matter of said amendment.

Before any farther question was taken thereon,

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

The Speaker appointed Messrs. Cravens, Finch, Moore, Lane, Mastin, Crume and Huntington, a committee in pursuance of the resolution of the House of yesterday, upon the subject of dividing the State into Congressional Districts.

The House resumed the consideration of the resolution relative to the election of United States' Senator, depending at the last adjournment.

Mr. Huntington moved to lay said resolution of proposed amendment on the table.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bryant, Buell, Carter of M. & C, Carter of O, Clark, Claypool, Cox, Crawford, Cristler, Crume, Culley, Davis of Sh., Dunn, Ferguson of C., Ferguson of U., Fowler, Goodbar, Hamilton, Hanna, Henley, Heustis, Howell, Huntington, Lowe, Lynd, Mastin, M'Nary, Mitchell, Parker, Payne, Payton, Proffit, Reid, Roop, Schoonover, Shortridge, Smith, Stanford, Vawter, Wallace, Watt, & Davis Speaker—46.

*And those who voted in the negative, are*

Messrs. Bradley, Cravens, Daniel, Davenport, Edwards, English, Finch, Hannegan, Lane, Levenworth, Lewis, Livingston, M'Junkin, Moore, Osborn, Palmer, Parks, Pruitt, Rariden, Ribble,

Ruddick, Sands, Skeene, Slaughter, Steele, Wilson, Wooden and Woodruff—28.

And so it was

*Ordered*, That said resolution and proposed amendment be laid on the table.

Mr. Mitchell moved to take up the resolution heretofore moved by him and laid on the table, relative to the constitutionality of the act incorporating a company to build a bridge over the Ohio river;

Which motion was decided in the negative.

On motion of Mr. Proffit,

*Resolved*, That the Senate be informed, that the House of Representatives are now ready to go into the election of Secretary of State and Prosecuting Attornies, that the Senate be invited to attend in the Representative Hall instanter, and that seats will be provided for them on the right of the Speaker's chair.

*Ordered*, That the Clerk inform the Senate thereof.

The Senate came down from their Chamber and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, when both Houses of the General Assembly proceeded by joint ballot to the election of a Secretary of State.

On counting the ballots, it appeared that William Sheets received 71 votes for that office, James Morrison 29, and scattering 5.

William Sheets having received a majority of all the votes given, was, by the President of the Senate, in presence of both Houses of the General Assembly declared duly elected Secretary of State, to serve as such for the term of four years from and after the 14th day of January, 1833.

Both Houses then proceeded by joint ballot to the election of a Prosecuting Attorney of the 2d Judicial Circuit.

On counting the ballots it appeared that Isaac Howk received 64 votes for that office, John H. Farnham 39, and scattering 2.

Isaac Howk having received a majority of all the votes given, was, by the President of the Senate in presence of both Houses of the General Assembly declared duly elected Prosecuting Attorney of the 2d Judicial Circuit, for the term of two years, from and after the 30th day of December, 1832.

Both Houses then proceeded by joint ballot to the election of a Prosecuting Attorney of the 4th Judicial Circuit.



On counting the ballots it appeared that John Pitcher received 62 votes for that office, Ebenezer D. Edson 23, Lyman Leslie 18, and scattering 2.

John Pitcher having received a majority of all the votes given, was, by the President of the Senate, in presence of both Houses of the General Assembly declared duly elected Prosecuting Attorney of the 4th Judicial Circuit for the term of two years, from and after the 30th day of December, 1832.

And then the Senate retired to their Chamber.

The Speaker laid before the House the following report from the Agent of the three per cent fund;

Which was read and referred to the committee of Ways and Means:

AGENT'S OFFICE, }  
Indianapolis, December 6th, 1832. }

HON. SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—Please lay the enclosed report before the House of Representatives.

Respectfully,

Your ob't serv't,

B. I. BLYTHE Ag't 3 per ct. fund.

A statement of the situation of the 3 per cent. fund, made in conformity with a Resolution of the House of Representatives, adopted, January 16th, 1832.

No. of Road.	ROAD COMMISSIONERS, RIVERS & COUNTIES.	Appropriations to each road, &c.	Drafts paid.	Balances due.
6	William M'Cormick -	4,928.93½	4,828.63	100.30½
8	Ezekiel Blackwell -	7,563.69	7,459.04	104.65
10	William Richards .	2,674.00½	2,199.76½	474.24
12	George White . -	2,712.23	2,701.19	11.04
14	Gara Davis . -	3,033.80	3,015.02	18.78
20	John C. Kibby . -	4,192.75	3,932.14	260.62
26	Robert M'Intire -	441.32½	211.08½	230.24
32	Reuben Bates & Alanson Warner - -	1,000.00	569.73	430.27
55	Mount Vernon to Collins			



No. of Road.	ROAD COMMISSIONERS, RIVERS & COUNTIES.	Appropriations to each road, &c.	Drafts paid.	Balances due.
	Ferry - -	125		125
56	Bridge over Fall Creek	300	275	25
	Appropriations to 45 roads paid off - -	90,514.34½	90,514.34½	
5	Jacob Goodlander (river)	225	112	113
7	James Duckworth do.	100		100
	Appropriation to 8 rivers paid off - -	1,725	1,725	
	Carroll County	400	200	200
	Clark do.	400		400
	Franklin do.	400	150	250
	Huntington do.	400		400
	Jackson do.	400	65	335
	Johnson do.	400	350	50
	Knox do.	400		400
	Lagrange do.	400		400
	Miami do.	400		400
	Marion do.	400	340	60
	Orange do.	400		400
	Posey do.	400		400
	Perry do.	400		400
	Ripley do.	400	375	25
	Spencer do.	400		400
	Shelby do.	400	350	50
	Vermillion do.	400	150	250
	Wabash do.	400		400
	Washington do.	400		400
	Vanderburgh do.	400		400
	Warrick do.	400		400
	Appropriations to 48 Counties paid off - -	19,200	19,200	
		147,136.08	138,722.94½	8,413.13

Received from the Treasury of the United States 157,509.70

“ “ State Treasury on account of 2,550.00

Canal Fund - - -

160,059.70

Retained to meet Agents' Commission 3,821.68

156,238.02

Postage paid S. Henderson & J. Cain up to Sep-		
tember, 1832		16.58

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156,221.44

Blank Book and Stationary, up to this date	32.50	
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Desk and Case for Agents' Office	15.00	
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51 days services in settling with Commis-		
sioners, sec Acts 1829, page 101	102.00	149.50

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156,071.94

Unappropriated balance on hand		8,935.86
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Appropriation to different Roads, Rivers and		
Counties		147,136.86

Commissioners' drafts reported last		
year	111,022.69	

Drafts since paid and now reported	27,700.25½	138,722.94½
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Appropriated balance		8,413.13½
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Unappropriated do.		8,935.86
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17,348.99½

Respectfully submitted

B. I. BLYTHE, Ag't 3 per cent. fund.

December 1st, 1832.

On motion of Mr. Daniel,

*Ordered,* That five hundred copies of the report of the Agent of the 3 per cent. fund be printed for the use of the members of this House.

Mr. Payne moved to take up the resolution moved by Mr. Hannegan relative to the election of a United States' Senator laid on the table this day.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bradbury, Bradley, Carter of M. & C., Clark, Claypool, Cravens Crawford, Culley, Davenport, Davis of Sh., Dunn, English, Hannegan, Hargrove, Henley, Heustis, Lane, Levenworth, Lewis, Livingston, Mastin, M'Junkin, Moore, Osborn, Palmer, Parker, Payne, Payton, Rariden, Roop, Sands, Schoonover, Shortridge, Skeene, Slaughter, Smith, Stanford, Steele, Vawter, Watt, Wilson, and Woodruff—44.

*And those who voted in the negative are,*

Messrs. Bell, Buell, Carter of O., Cox, Cristler, Crume, Daniel, Edwards, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hannah, Howell, Huntington, Lowe, Lynd, M'Nary, Mitchell, Parks, Proffit, Pruitt, Reid, Ribble, Ruddick, Wallace, Wooden and Davis, Speaker—30.

And so said resolution was taken up.

The question recurring on the amendment proposed thereto by Mr. Payne;

And the ayes and noes being demanded by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bradbury, Carter of O., Clark, Cravens, Crawford, Culley, Dunn, Henley, Levenworth, Livingston, M'Junkin, Mitchell, Moore, Palmer, Parker, Payne, Rariden, and Slaughter—20.

*And those who voted in the negative are,*

Messrs. Bell, Bradley. Buell, Carter of M. & C., Claypool, Cox, Cristler, Crume, Daniel, Davenport, Davis, Edwards, English, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hannah, Hannegan, Hargrove, Heustis, Howell, Huntington, Lane, Lewis, Lowe, Lynd, Mastin, M'Nary, Osborn, Parks, Peyton, Proffit, Pruitt, Reid, Bibble, Roop, Ruddick, Sanda, Schoonover, Shortridge, Skeene, Smith, Stanford, Steele, Vawter, Wallace, Watt, Wilson, Wooden, Woodruff, and Davis, Speaker—54.

And so said motion to amend was decided in the negative.

The resolution was then modified by Mr. Hannegan so as to read "to-morrow" instead of "Friday next."

And the question being put,

Shall said resolution be adopted?

It was carried in the affirmative.

*Ordered,* That the Clerk inform the Senate thereof.

And then the House adjourned until to-morrow morning at 9 o'clock.

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FRIDAY MORNING, DECEMBER 7, 1832.

The House met pursuant to adjournment.

The Speaker appointed Messrs. Bryant and Hannegan tellers.

in pursuance of the resolution adopted yesterday on the subject of the election of a United States' Senator.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Hargrove presented a petition of Thomas Montgomery and others, praying the repeal of the law allowing a higher rate of interest than 6 per cent.;

Which was read and referred to the committee on the judiciary.

Mr. Daniel presented a petition of Elizabeth Hulen, praying to be divorced from her husband Wyatt Hulen;

Mr. Daniel moved to refer said petition to the committee of ways and means.

Before said question was put, it was

On motion of Mr. Palmer,

*Ordered*, That said petition be laid on the table.

Mr. Huntington presented a petition of Geo. W. Dewees, charged with an assault and battery with an intent to murder, praying for a change of venue;

Which was read, and referred to a select committee of Messrs. Huntington, Bryant and Hannegan.

Mr. Bradley presented four petitions of sundry citizens of this State, severally praying a memorial to Congress for the removal of the pension office from Corydon to Indianapolis.

Mr. Bradbury moved to refer said petitions to a select committee.

Before said question was put, it was

On motion of Mr. Henley,

*Ordered*, That said petitions be laid on the table.

Mr. Wooden presented a petition of Bartlett Asher senr. and others, praying to have a part of the county of Putnam, attached to the county of Owen;

Which was read and referred to a select committee of Messrs. Wooden, Sands, and Peyton.

Mr. Crume presented a petition of sundry citizens of Fayette and Rush counties, praying a special act relative to Congressional township fifteen, N. of range eleven, E.

Which was read and referred to the committee on education.

Mr. Fowler presented a petition of Elijah Craig, praying the passage of a law relative to the partition of certain real estate;

Which was read and referred to a select committee of Messrs. Fowler, Bell, and Smith.

Mr. Proffit presented a petition of Thomas C. Stewart, praying the passage of a special act, to authorise him to sell certain real estate;

Which was read and referred to the committee on the judiciary.

Mr. Palmer presented a memorial of Solon Robinson, commis-



sioner on part of the Indianapolis and Madison State Road, praying an adjustment of certain differences between himself and sundry contractors upon said road, with several accompanying documents;

Which were read and referred to a select committee of Messrs. Palmer, Vawter, Ruddick, Woodruff and Hannah.

On motion of Mr. Lane,

The petition of Lambert Frisby and others, praying an act to authorise Moses Mathews, to build a mill dam over Little Pigeon creek; and the remonstrance of Smith Boyd and others, against the same, laid on the table yesterday, were taken up and referred to a select committee of Messrs. Lane, Howell and Proffit.

Mr. Howell presented a remonstrance of Daniel Brown and others, against the prayer of said petition;

Which was read and referred to the same select committee last named.

Mr. Palmer from the select committee, to whom was referred a petition on that subject, reported a bill to amend the act entitled "an act to incorporate the Hanover Academy;"

Which was read the first time and passed to a second reading.

Mr. Daniel moved the following resolution:

*Resolved*, That the Doorkeeper of this House be directed to procure for the use of the House of Representatives, three copies of the Indiana Journal, and a like number of the Democrat, for each member, as they may be respectively published.

A motion was made by Mr. Schoonover to postpone indefinitely, the further consideration of said resolution;

And decided in the negative.

Mr. Mitchell moved to amend said resolution so as to permit each member to receive 6 numbers of those papers at his election;

Which motion was decided in the negative;

And the question being put,

Shall said resolution be adopted?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bryant, Buell, Cox, Cravens, Culley, Daniel, Davis of Shel., Dunn, English, Ferguson of C., Finch, Fowler, Goodbar, Hannah, Hannegan, Hargrove, Henley, Heustis, Huntington, Lane, Levenworth, Livingston, Lowe, Mastin, M'Junkin, Moore, Osborn, Palmer, Parker, Peyton, Pruitt, Roop, Sands, Shortridge, Slaughter, Wallace and Davis, Speaker—37,

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Carter of M. & C., Carter of O., Clark, Claypool, Crawford, Cristler, Crume, Davenport, Edwards, Ferguson of U., Hamilton, Howell, Lewis, Lynd, M'Nary, Mitchell, Parks, Proffit, Rariden, Reid, Ribble, Ruddick, Schoonover, Skeene, Smith, Stanford, Steele, Vawter, Watt, Wilson, Wooden, and Woodruff—37.

And so said resolution was not adopted.

Mr. Steele moved the following preamble and resolution:

**WHEREAS**, much anxiety is exhibited by this House, to adopt some plan not inconsistent with the constitution, by which the public may be apprised how each votes for United States Senator, at the election to take place this session for that officer; Therefore,

*Resolved*, That each member affix the number upon the back of the ticket he may vote, which is affixed to his name on the list of ayes and noes of this House, and the tellers be directed by the presiding officer to cry, together with the name upon each ticket, the number affixed thereto; and that all who do not thus prepare their tickets, shall be considered as having *bolled*.

Which was read and,

On motion of Mr. Stanford,

*Ordered*, To lie on the table.

On motion of Mr. Howell,

*Resolved*, That the judiciary committee be instructed to inquire into the expediency of altering and amending the act, entitled "an act dividing the State into judicial circuits and fixing the times of holding courts therein, and for other purposes, so as to give the counties of Spencer and Dubois in the 4th Judicial Circuit additional time of holding Circuit Courts therein.

On motion of Mr. Carter, of O.,

*Resolved*, That the committee of ways and means inquire into the expediency of so amending the act entitled "an act to license and regulate taverns and groceries," approved, February 3rd, 1832, as to give the board doing county business discretionary power, to take into consideration, the situation, together with the capital to be employed by the applicants, in groceries, and to levy a tax accordingly not less than three nor more than ten dollars; and report by bill or otherwise.

On motion of Mr. Buell,

*Resolved*, That the committee on roads be instructed to inquire into the expediency of laying out and establishing a State road, to commence at Williamsport, the seat of justice of War-

ren county, and run from thence through Lebanon and Chesapeake, to the State line, in direction to Danville, in the State of Illinois, so as to connect with a road laid out by the authorities of the State of Illinois, from Danville in the direction of Williamsport, in the State of Indiana; and that they report by bill or otherwise.

On motion of Mr. Crawford,

*Resolved*, That the judiciary committee be and they are hereby instructed to inquire into the expediency of changing the mode of doing Probate business, so as to create Probate Circuits, as intimated in the Governor's message, and to report by bill, or otherwise.

Mr. M'Nary moved to reconsider the vote taken this day, on the question to adopt the resolution moved by Mr. Daniel, relative to furnishing each member a certain number of the "Indiana Journal" and "Democrat;"

Which motion passed in the affirmative.

The question recurring on the adoption of said resolution,  
And the ayes and noes being demanded by two members,

*Those who voted in the affirmative are,*

Messrs. Bryant, Buell, Cox, Cravens, Culley, Daniel, Davis, of Sh'y, Dunn, English, Ferguson of C., Finch, Fowler, Goodbar, Hanna, Hannegan, Hargrove, Henley, Heustis, Huntington, Lane, Levenworth, Livingston, Mastin, M'Junkin, M'Nary, Moore, Osborn, Palmer, Parker, Peyton, Pruitt, Roop, Sands, Shortridge, Slaughter, Wallace, Wooden, and Davis, Speaker—38.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Carter of M. & C., Carter of O., Clark, Claypool, Crawford, Cristler, Crume, Davenport, Edwards, Ferguson of U., Hamilton, Howell, Lewis, Lowe, Lynd, Mitchell, Parks, Proffit, Reid, Ribble, Ruddick, Schoonover, Skeene, Smith, Stanford, Steele, Vawter, Watt, Wilson, and Woodruff—35.

And so said resolution was agreed to.

Mr. Hanna moved the following resolution:

*Resolved*, That a select committee be appointed to inquire into the expediency of establishing a State Bank and branches in the State of Indiana;

Which was read, and

On motion of Mr. Huntington, was

*Ordered*, To lie on the table.



Mr. Wooden moved the following resolution:

*Resolved*, That the committee on roads be requested to inquire into the expediency of repealing so much of the 60th section of the road law as allows supervisors of roads and highways, seventy-five cents per day, and that they report to this House by bill or otherwise.

Mr. Steele moved to amend the same, by adding thereto, the following:

"And that supervisors of roads be allowed to pay hands seventy-five cents each, per day."

Mr. Wooden moved to amend said amendment, so as to confine its provisions to Wayne county;

Which was accepted by Mr. Steele as a modification of his motion; and therefore,

The said amendment as modified, was accepted by Mr. Wooden, as a modification of said resolution;

And on the question,

Shall said resolution be adopted?

It was decided in the negative.

Mr. Lewis moved the following resolution:

*Resolved*, That the public printer be directed to print 150 copies of the list of standing committees of this House, for the use of the members thereof.

Mr. Steele moved to amend said resolution by adding thereto these words,

"And 150 copies of the late census of Indiana, taken under the authority of the General Government;"

Which motion passed in the affirmative.

The said resolution as amended, was then agreed to by the House.

On motion of Mr. Dunn,

*Resolved*, That the judiciary committee inquire into the expediency of so changing the laws regulating Circuit courts, and the practice thereof, as to make three terms, and that the first term after the commencement of each suit on the civil docket, shall be the appearance term thereof, at which the issue shall be made up, and the same stand for trial at the ensuing term.

On motion of Mr. Huntington,

*Resolved*, That the committee on roads be instructed to report a bill to amend the "act to prevent useless and expensive applications to the General Assembly, relating to State roads," so that the expense of locating State roads, shall not be borne by the persons applying for such location.

Mr. Carter of O. moved the following resolution:



*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of so amending the act entitled "an act regulating the jurisdiction and duties of Justices of the Peace, approved, February 10th, 1831, that in all civil cases to be tried before Justices of the Peace, when the sum is twenty dollars or under, at the request of either party, the case may be tried by a jury of three men or twelve, at the election of the party calling for the jury; and when the sum is over twenty dollars and within the justices jurisdiction, either party may have a jury of five men or twelve, at the election of the party calling for the jury; and report by bill or otherwise;

Which was read,

And on the question to adopt the same,

It was decided in the negative.

On motion of Mr Carter of O.,

*Resolved*, That the judiciary committee be, and they are hereby instructed to inquire into the expediency of so amending the act entitled an act, regulating distress for rent. approved, February 1st, 1831, as to make it the duty of the officer, making the distress, to return the warrant to the court, from whence the same issued, and proceedings had thereon, as in other cases, and report by bill or otherwise.

On motion of Mr. Sands,

*Resolved*, That the committee on roads be instructed to inquire into the expediency of establishing a State road from Green Castle, in Putnam county, to Carlisle, in Sullivan county, by the way of Manhattan, in Putnam county, and Bowlinggreen and New Brunswick, in Clay county.

Mr. Carter of O. moved the following resolution:

*Resolved*, That the committee of ways and means be instructed to inquire into the expediency of so amending the act entitled "an act for assessing and collecting the revenue," as to make it the duty of the board doing county business in their respective counties, to appoint one Assessor in the bounds of each Captain's company, who shall, as a compensation for their services, be exempted from working on roads, serving on juries and mustering, and report by bill or otherwise;

Which was read, and

On motion of Mr. Lane,

*Ordered*, That the same do lie on the table.

Mr. Henly moved the following resolution:

*Resolved*, That a select committee be appointed to inquire whether any, and if any, what amendments are necessary to the

8th section of the act entitled "an act establishing a county treasurer, with leave to report by bill or otherwise;

Which was read, and

On the question to adopt the same,

It was decided in the negative.

On motion of Mr. Ferguson of C.,

*Resolved* That, whenever any member of this House introduces any business, which may be referred to any standing committee, such member shall be one of such committee, while the subject matter of such reference is under consideration.

On motion of Mr. Cravens,

The resolution moved by Mr. M'Nary directing the judiciary committee to inquire into the expediency of limiting the rate of the interest of money to 6 per cent. per annum and laid on the table on the 4th inst. was taken up.

On motion of Mr. Cravens,

The said resolution was amended, by referring the inquiry therein directed, to a select committee, instead of the judiciary committee.

The said resolution as amended, was then agreed to.

*Ordered*, That Messrs. M'Nary, Cravens, Crume, Ferguson of C. and Proffit, be a committee in pursuance thereof.

On motion of Mr. Hanna,

The two resolutions moved by him, on the subject last above named, and on the subject of taxing usurious loans, laid on the table on the 4th inst., were taken up.

The first of said resolutions, was then modified by Mr. Hanna, by striking out the words "money actually loaned or on" and further, by referring the inquiry therein contemplated, to the same select committee last named.

The question recurring on the adoption of said resolutions, and

A division of the question being demanded by Mr. Cravens,

It was put on agreeing to the first resolution,

And decided in the negative.

Mr. Hanna moved to amend the second of said resolutions, by striking out the words "actually loaned and falling due on the first day of Jannary next, or at any time thereafter," and inserting in lieu thereof, these words, "on all money due on contracts hereafter to be made;"

Which motion was decided in the negative;

It was then,

On motion of Mr. Daniel,

*Ordered*, That said resolution do lie on the table,

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Cox,

*Resolved*, That the committee on roads be instructed to inquire into the expediency of laying out a State road, from Martinsville, in the county of Morgan, to intersect the State road from Madison to Indianapolis, at Edinburgh, in the county of Johnson, via Morgantown, with leave to report by bill or otherwise.

On motion of Mr. Crawford,

*Resolved*, That the committee on roads be, and they are hereby instructed to inquire into the expediency of locating a State road, from where the Michigan road crosses Yellow river, to the county seat of Laport county, and to report by bill or otherwise.

On motion of Mr. Pruitt,

*Resolved*, That the committee on roads be instructed to inquire into the expediency of locating a State road, from Rockville, in Park county, by the way of Roseville, in said county, to Terre Haute, in Vigo county, with leave to report by bill or otherwise.

The House then proceeded to consider the orders of the day:

On motion of Mr. Palmer,

The House resolved itself into a committee of the whole, on the message of His Excellency the Governor, and after some time spent therein, the Speaker resumed the chair and Mr. Vawter reported, that the committee had, according to order, had the same under consideration, and come to sundry resolutions, to wit:

1. *Resolved*, That so much of the message of the Governor as relates to a call of the militia into actual service, be referred to the committee on military affairs.

2. *Resolved*, That so much of said message as relates to the Wabash and Erie canal be referred to the committee on canals and internal improvements.

3. *Resolved*, That That so much of said message as relates to the Michigan road, be referred to a select committee.

4. *Resolved*, That so much of said message as relates to the 3 per cent. fund, be referred to the committee on ways and means.

5. *Resolved*, That so much of said message as relates to the State prison, be referred to the committee on the affairs of the State prison.

6. *Resolved*, That so much of said message as relates to the addition of the lot north of the State House Square, to said square, and so much as relates to the erection of the State House, be referred to the committee on public buildings.



7. *Resolved*, That so much of said message as relates to the town of Indianapolis, be referred to the committee on the affairs of the town of Indianapolis.

8. *Resolved*, That so much of said message as relates to the public revenue, and the state of the finances, be referred to the committee of ways and means.

9. *Resolved*, That so much of said message as relates to Indian treaties, be referred to a select committee, with instructions to report a joint memorial to Congress, praying an appropriation for the purpose of holding a treaty with the Miami nation of Indians.

10. *Resolved*, That so much of said message as relates to the extension of a portion of the laws of the State of Indiana, over the Miami tribe of Indians, and the sale or delivery of spiritous liquors to those Indians, be referred to the judiciary committee, with leave to report by bill or otherwise.

11. *Resolved*, That so much of said message as relates to the militia, be referred to the committee on military affairs.

12. *Resolved*, That so much of said message as relates to schools, be referred to the committee on education.

13. *Resolved*, That so much of said message as relates to the public lands, be referred to a select committee.

14. *Resolved*, That so much of said message as relates to changing the mode of doing Probate business, be referred to the judiciary committee.

15. *Resolved*, That so much of said message as relates to a criminal code, be referred to a select committee.

16. *Resolved*, That so much of said message as relates to a State Bank and branches, be referred to a select committee, to consist of one member from each judicial circuit.

Which said resolutions were read and agreed to by the House, generally:

A message from the Senate by Mr. Morris, their Assistant Secretary.

MR. SPEAKER:

I am instructed by the Senate, to inform the House of Representatives, that they have adopted the following resolution:

*Resolved*, By the Senate, the House of Representatives concurring, that the Senate will, on Saturday, the 8th day of December, inst. at 10 o'clock, A. M. meet the House of Representatives, in the Representative Hall, for the purpose of electing a United States' Senator.

Mr. Dumont is appointed teller on the part of the Senate.



On motion of Mr. Lane,

*Resolved*, That this House reciprocate the resolution of the Senate, fixing on Saturday, the 8th instant, at 10 o'clock, A. M., as the day to go into the election of a United State's Senator, and that                    be appointed teller, on the part of this House; that the Senate be informed thereof, and that seats will be provided for them on the right of the Speaker's chair.

Whereupon the Speaker appointed Mr. Bryant teller on the part of the House.

*Ordered*, That the clerk inform the Senate thereof.

And the House adjourned until to-morrow morning, at 9 o'clock.

## SATURDAY MORNING, DECEMBER 8th, 1832.

The House met pursuant to adjournment.

The Speaker appointed the following select committees, in pursuance of resolutions reported by the committee of the whole, to which was referred the Governors message, to wit:

Resolution No. 3, Messrs. Dunn, Wilson, Hannah, Palmer and Crawford.

Resolution No. 9, Messrs. Proffit, Wilson, Davenport, Shortridge and Ribble.

Resolution No. 13, Messrs. Lane, Dunn, Edwards, Clark and Claypool.

Resolution No. 15, Messrs. Hanna, Hoore, Sands, Slaughter and Rariden.

Resolution No. 16, Messrs. Dunn, Finch, Hanna, Lane, Huntington, Livingston and Steele.

Mr. Ruddick presented a petition of Aaron Davis and other citizens of Bartholomew and Decatur counties, praying for the location of a State road, from Napoleon, in Ripley county, via Camden, in Bartholomew county, and other intermediate points, to Terre Haute, in Vigo county;

Which was read and referred to the committee on roads.

Mr. Parks presented a petition of Rees Ward and others, praying the passage of an act, to authorise John Whisenand to build a mill dam across Salt creek;

Which was read and referred to the committee on canals and internal improvements.

Mr. Howell presented a petition of Wilson Wire and others.

praying the passage of an act, to divorce said Wilson from his wife Cynthia, and a remonstrance of Harvey L. Carter and others against the same;

Which were read and referred to the committee on the judiciary.

On motion of Mr. Proffit,

The petition of Elizabeth Hulen, praying a divorce, and heretofore laid on the table, was taken up and referred to the committee on the judiciary.

Mr. Lane presented a petition of John Davis and others, praying the passage of an act to divorce said Davis from his wife;

Which was read and referred to a select committee of Messrs. Lane, Proffit and Levenworth.

Mr. Crume presented a petition of Ann M. Smith, praying to be divorced from her husband James Smith;

Which was read and referred to a select committee of Messrs. Crume, Watt and Lowe.

Mr. Steele presented a petition of George Henerix of Wayne county, praying for relief;

Which was read and referred to a select committee of Messrs. Steele, Cristler and Rariden.

On motion of Mr. Henley,

*Resolved*, That the Senate be informed, that the House of Representatives are now ready to go into the election of a United States' Senator, that their presence is requested instantler, and that seats are provided for them on the right of the Speaker's chair.

*Ordered*, That the Clerk inform the Senate thereof.

The Senate came down and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, when both Houses of the General Assembly proceeded by joint ballot to the election of a Senator of the United States, to fill the vacancy to be occasioned by the expiration of the term of service of John Tipton, on the third day of March next.

On the first ballot,

John Tipton	received	32	votes	for	that	office,
Oliver H. Smith	"	21	"	"	"	"
Ratliff Boon	"	24	"	"	"	"
Jonathan M'Carty	"	13	"	"	"	"
Robert Hanna	"	1	"	"	"	"
James G. Read	"	1	"	"	"	"
Isaac Blackford	"	7	"	"	"	"
John Rariden	"	1	"	"	"	"
Walter Wilson	"	1	"	"	"	"
Blank	"	4	"	"	"	"

No person having received a majority of all the votes given both Houses proceeded in like manner to a 2d balloting.

On the second ballot

John Tipton	received	35	votes	for that office
Oliver H. Smith	"	25	"	"
Rathff Boon	"	21	"	"
Jonathan M'Carty	"	10	"	"
Isaac Blackford	"	7	"	"
James G. Read	"	4	"	"
Tho. H. Blake	"	1	"	"
Robert Hanna	"	1	"	"
Blank	"	1	"	"

No person having received a majority of all the votes given both Houses proceeded in like manner to a third ballot.

On the third ballot,

John Tipton	received	38	votes	for that office.
Oliver H. Smith	"	27	"	"
Ratliff Boon	"	21	"	"
Jonathan M'Carty	"	7	"	"
Isaac Blackford	"	3	"	"
James G. Read	"	5	"	"
Robert Hanna	"	2	"	"
Charles Dewey	"	1	"	"
Blank		2		

No person having received a majority of all the votes given both Houses proceeded in like manner to fourth balloting:—

On the 4th ballot,

John Tipton	received	39	votes	for that office,
Oliver O. Smith	"	26	"	"
Ratliff Boon	"	19	"	"
Jonathan M'Carty	"	8	"	"
Isaac Blackford	"	2	"	"
James G. Read	"	5	"	"
Charles Dewey	"	1	"	"
Tho's H. Blake	"	1	"	"
Robert Hanna	"	1	"	"
Scattering		3		

No person having received a majority of all the votes given both Houses in like manner proceeded to a fifth balloting:—

On the 5th ballot,

John Tipton	received	42	votes	for	that	office,
Oliver H. Smith	"	28	"	"	"	"
Rathff Boon	"	13	"	"	"	"
Jonathan M'Carty	"	8	"	"	"	"
Isaac Blackford	"	1	"	"	"	"
James G. Read	"	10	"	"	"	"
Robert Hanna	"	1	"	"	"	"
Scattering		2				

No person having received a majority of all the votes given both House proceeded in like manner to a sixth balloting: —

On the 6th ballot,

John Tipton	received	44	votes	for	that	office,
Oliver H. Smith	"	32	"	"	"	"
Ratliff Boon	"	8	"	"	"	"
Jonathan M'Carty	"	6	"	"	"	"
James G. Read	"	10	"	"	"	"
Isacc Blackford	"	2	"	"	"	"
Robert Hanna	"	1	"	"	"	"
Noah Noble	"	1	"	"	"	"
Scattering	"	1	"	"	"	"

No person having received a majority of all the votes given, both Houses proceeded in like manner to a seventh balloting:—

On the 7th ballot,

John Tipton	received	46	votes	for	that	office,
Oliver H. Smith	"	32	"	"	"	"
Ratliff Boon	"	5	"	"	"	"
Jonathan M'Carty	"	2	"	"	"	"
James G. Read	"	13	"	"	"	"
Isaac Blackford	"	2	"	"	"	"
Noah Noble	"	3	"	"	"	"
Blank		1				

No election having yet been made, it was therefore Ordered by the President of the Senate, that said election be adjourned until 2 o'clock, P. M.

The Senate then retired to their Chamber;

And then the House adjourned until 2 o'clock, P. M.



2 o'clock P. M.

The House met pursuant to adjournment.

The Speaker laid before the House the following communication from Samuel Merrill, Treasurer of State, covering his annual report, upon the state of the finances, with accompanying documents, as follows, to wit:

*To the Speaker of the House of Representatives:*

Herewith is submitted to be laid before the House,

- No. 1. The Treasurer's Report.  
 2. The Loan Office Report.  
 3. A list of the borrowers of the College Funds.  
 4. A statement of the expense of Stationary and Carriage.  
 5. The Contingent expenses.

I have the honor to be, &c.

SAM'L MERRILL.

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(No. 1.)

TREASURY DEPARTMENT,  
 DECEMBER 6th, 1832. }

The Treasurer, in compliance with the requisitions of the "Act concerning the Auditor of the Public Accounts and Treasurer of State," respectfully submits the following Report of the Revenue and Expenditures of the State, from Dec. 3d, 1831, to December 1st, 1832.

Balance in Treasury, reported last year	\$44,048 07
Receipts during the fiscal year	
From taxes assessed for 1823	\$247 04
1824	33 56
1828	150 00
1830	78 00
1831	33370 89
1832	6884 36

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Total Revenue	40763 85
From the Agents for Indianapolis	8136 52

Commissioner Michigan Road Lands	35527 96
Canal Funds	5181 82
Estates without heirs	937 18
Salt spring reserves	213 12
From Interest on Loans	2041 81
Sale of College Lands	2221 08
Loans refunded	2660 00
	<hr/>
Total	141731 41

*Expenditures during the same period:*

Pay and Mileage of last Legislature	\$14187 72	
“ Clerks and Doorkeepers	1926 50	
	<hr/>	16114 22
Paid the Public Printers	1738 46	
“ Bookbinders	569 76	
“ for Stationary and carriage	2095 32	
“ distributing Laws and Journals	270 00	
	<hr/>	4673 54
Specific appropriations		1244 68
Contingent expenses		836 35
Salaries of Executive officers		2596 72
“ Judges		5514 98
“ Prosecutors		943 54
“ Probate Judges		2202 00
“ Adj. and Q. Master Generals		170 71
State prison expenses		1985 09
“ Library “		100 00
Presidential election		209 70
Wolf scalps		794 50
Treasury Notes destroyed		5 00
		<hr/>
Ordinary expenses		37391 03
Michigan Road Scrip redeemed		30903 86
“ “ Expenses		3051 61
Indiana College “		2508 68
Salt spring “		30 00
Seat of Government “		342 85
Loans of College funds		7177 50
Canal Fund payments		28753 00
Conscientious fines distributed		36 00
Cash on hand		31536 88
		<hr/>
		141731 41

*The Cash on hand is subject to the following deductions:*

Outstanding warrants	85 15
Salaries of Judges, Prosecutors and other claims due, but not audited	2550 00
Conscientious fines	530 50
Canal Fund	148 56
Indianapolis Fund	21672 11
Claims of Probate Judges estimate	1200 00

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Making in all	26184 32
Which deducted from the cash on hand leaves	5351 56
The revenue of 1832 to be paid subsequently to the first of Dec. inst. will probably amount to	32000 00
There has been anticipated of the College fund	2456 62
Balance due the State from the Michigan Road fund	3275 51

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Making for the expenses of the ensuing year	43082 69
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*Those expenses may be estimated as follows:*

Salaries of Judges and Prosecutors	8200 00
“ Governor, Secretary, Treasurer and Auditor	2600 00
“ Probate Judges	2400 00
Printing and stationary	4500 00
Legislature	17000 00
Contingent fund	1000 00
State prison	800 00
Wolf scalps	800 00
Specific appropriations	1500 00
Presidential election, State Library, Adj. General, &c.	800 00

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	\$39600 00
Which will leave in the Treasury 1st Dec. 1833	3482 69

The rates of taxation having continued the same since the year 1826, the actual receipts from each year's assessment in the annexed statement, present in a favorable light, the prospects of the State for Revenue.

Receipts from the taxes of 1827	27,299 27
do 1828	29,926 12
do 1829	32,282 69
do 1830	34,475 07
do 1831	37,023 77
Estimate for 1832	38,884 36

The revenue hereafter can hardly be expected to increase in the same ratio. Some diminution will be occasioned by the alteration of the law authorising the sale of land for taxes. The receipts however, will no doubt meet all demands at the treasury. It affords pleasure to state, that the Collectors of the last year were equally punctual, with those of the preceding. No delinquency of moment occurred and the prospect of a full settlement by the Collectors of the present year, is not less favorable.

Respectfully submitted

SAM'L. MERRILL.

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(No. 2.)

*Report in relation to the Loan office, from Dec. 3, 1831, to Dec. 1, 1832.*

Cash on hand reported last year,	306 67
Received from James Borland, Commissioner of the College township, Monroe	1,916 08
“ from James Smith, Commissioner of the Gibson township	305 00
Loans refunded,	2,660 00
Interest on loans	2,041 81

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\$7,229 56

During the above period, there have been loans as per list accompanying	7,177 50
Salaries of President and Professors of College	2,690 00
Superintendents' allowance,	89 73
Paid for work and materials on College buildings	200 00
“ for Philosophical apparatus	114 25
“ Recorder of Monroe	14 70

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\$9,686 18

Which anticipates the funds hereafter to be paid to the amount of \$2,456 62.

There have been sold in the township in Monroe, (exclusive of the 12 half qrs. sold for college buildings,) 210 half qrs. of land for \$35,423 80, of which there has been paid \$17,211 50, and interest on the balance, amounting to \$2,798 49.

In the township in Gibson, 165 half qrs. of land have been sold for \$20,347 35, of which \$10,439 02 has been paid, and interest on the balance amounting to \$2,491 45

The principal paid for land, amounts in all, to \$30,022 48



Interest paid by purchasers of lands,	8,289 94
Interest on loans,	8,401 85
Amount due from purchasers of lands,	28,130 63
Rents paid,	119 00
Estimated interest due,	1,800 00
	<hr/>
	76,766 90

*Deductions.*

Appropriations by the Legislature,	620 19
Superintendents allowance,	412 97
Recorders of Gibson and Monroe,	206 42
Orders of College trustees,	10,931 09
Commissioner's allowance,	1,281 42
Balance in favor of College,	63,314 81
	<hr/>
	76,766 90

It will be seen that the interest received, exceeds all the expenditures, \$3,242 70. There are still unsold 132 half qr. sections of land, 20 of which are in the reserved section near the College.

The Superintendent during the last year, again advertised to receive applications for loans. These applications were decided upon by lot, and he expects to go through with the list in the order their names were drawn, which will not probably be done in less than three years. But the single instance of loss to the fund, reported last year, is yet known or anticipated.

Respectfully submitted,

SAMUEL MERRILL.

Loan Office, Dec. 6, 1832.

(No. 3.)

*List of borrowers of the College Fund.*

Joseph Glansy,	25 00
John Tracy,	150 00
Samuel M'Ilvain,	104 00
Hiram Bacon,	100 00
Levi Jessup,	250 00
Jacob Darringer,	100 00
Martin Martindale,	73 00
Wm. F. Skelton,	100 00

James Griswold,	200 00
James Skelly,	41 50
Noah Noble,	500 00
Thomas Hume,	50 00
Adam Wright,	100 00
E. N. Shimer,	50 00
Richard Watts,	30 00
Andrew Evans,	250 00
James M. Nichol,	106 00
John Derrickson,	106 00
Joseph J. Boone,	300 00
Philip M'Clain,	62 50
George W. L. White,	500 00
Alexander Miller,	100 00
James Bates,	87 59
George Anderson,	125 00
George Wight,	200 00
William Robinson,	50 00
Andrew Elswick,	150 00
William Heaton,	500 00
James M'Cormick,	125 00
Joseph Christenburg,	30 00
Josiah Spurgin,	200 00
Thomas Emison,	500 00
E. B. Wilson,	300 00
Gillis M'Bean,	500 00
John Alexander,	100 00
James Evans,	500 00
John Gibbons,	150 00
Richard Kinneman,	87 50
Samuel K. Barlow,	137 50
Samuel Doty,	60 00
Andrew Jackson,	75 00

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7,177 50

The above is correct,

SAMUEL MERRILL.

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(No. 4.)

*Expense of stationary and carriage paid by the Treasurer, from Dec. 4, 1831, to Dec. 1 1832.*

1831. Dec. 13, Paid Leeds, Jones & Co.  
for 20 reams fine post

No. 1,	3 75.	75 00
10	1,	3 25 32 50

Carriage,			4	13
N. Cline for carriage,			19	50
26, James Y. Brisbin, carriage,			31	12
John Ritchey	"		30	23
John Dabney	"		4	87
1831. Feb, 5, Paid Wm. Sheets for 13½				
reams royal No. 3,		4	00	54 00
1 " post,	1,			3 75
2 " "	2,	3	50	7 00
5 " "	3,			16 25
Box				50
6 quires flat post,				1 50
125 reams, royal No	3,	4	00	500 00
125 "	5,	3	25	406 25
20 " medium	3,	3	50	70 00
6 " envelope,		5	00	30 00
4 " folio post,		7	00	28 00
30 fine post,		3	75	112 50
12 " cap, No. 2,		3	00	36 00
Paid Jacob Landis, bill of sundries,				7 00
Bought of Leeds, Jones & Co.				
40 reams medium, No. 4,		3	25	130 00
20 " "	3,	3	75	75 00
20 " post,	1,	3	75	75 00
10 " "	2,	3	25	32 50
10 " cap,	1,	3	25	32 50
10 " "	2,	3	00	30 00
24 " royal,	3,	4	00	96 00
8 " cap,	1,	3	25	26 00
2 " post,	2,	3	25	6 50
Carriage of 2,418 lbs.				24 18
4 boxes,				2 00
Paid Jos. Glover for carriage,				2 73
James Y. Brisbin,	"			15 00
" "	"			48 60
Jos. Glover,	"			23 65
J. Irwin,	"			5 56
				<hr/>
				2,095 32

The above is correct,

S. MERRILL.

(No. 5.)

*Expenditures from the Contingent Fund during the year 1832.*

1832, Jan. 15, To John Cain for postage,		64	63
25, " " "		38	41
H 8			

	I. P. Griffith, for copying joint resolutions,	50 00
	M'Carty & Williams, for stationary,	93 51
Feb. 5,	Brown & Morrison " "	17 75
	M. H. Cropper for mistake in copying specific appropriation law,	50 00
Mar. 15,	I. N. Phipps, for stationary,	6 38
	John Cain, postage,	25 27
	Sam. Brown, for work on the circle,	50
	Wm. Tichenor, for stationary,	1 19
April 20,	John Cain, for binding,	43 09
	do do for Auditor,	33 00
	do for postage	40 06
	M. Morris, for maps distributed to sever- al counties,	50 00
	Nat. Cox, for boxes to pack laws,	24 00
	John Cain blank book for Qr. Mas. Gen.	6 00
	William Lewis, list of reliquinshed lands,	15 00
	Jos. Robinson, for transporting arms,	8 00
	John Cain, binding laws, &c.	53 50
	A. W. Russell, for transportation of arms,	63 00
June 24,	Hartshorn, " "	10 00
	Thomas O'Neal, " "	10 00
	C. I. Hand, expenses in hunting horses lost in the Chicago expedition,	10 00
	William Titchenor, for stationary,	4 00
	John Cain, for postage,	48 96
	Edward Smith, for transportation of sun- dries,	5 00
	Thomas B. Johnson, for repairing con- ductor of Governor's House,	5 50
	C. I. Hand, expenses as an express,	10 00
	A. W. Morris, for making maps for sever- al counties,	57 00
		<hr/>
		837 35

The above is correct.

SAMUEL MERRILL.

Which were read and referred to the committee of ways and means.

The Speaker laid before the House the annual report of Morris Morris, Auditor of Public Accounts;

Which was read and referred to the committee of ways and means.

Said Report is as follows, to wit:



AUDITOR'S OFFICE, }  
December 8th, 1832. }

To Hon. J. W. Davis,

*Speaker of the House of Representatives.*

SIR—Please lay the enclosed before the House over which you preside.

Respectfully, Sir,

M. MORRIS, A. P. A.

AUDITOR'S OFFICE, }  
December 7th, 1832. }

In obedience to the act entitled "An act concerning the Auditor of Public Accounts and Treasurer of State," the Auditor submits the following report of Receipts and Expenditures, on account of the State of Indiana, from the 4th of December, 1831, to 3rd of December, 1832, (both inclusive.)

There was remaining in the Treasury on the 3d of December, 1831, provided all claims audited to that date, were paid,					\$44,033 32
Since that period, there has been paid into the Treasury, on account of Revenue unpaid for the year	1823	247	04		
" " " " "	1824	33	56		
" " " " "	1828	150	00		
" " " " "	1830	78	00		
For collection of revenue for	1831	33,370	89		
" " " " "	1832	6,884	36		
					40,763 85
From sales of Michigan Road land		35,527	96		
From Fund Commissioner of Wabash and Erie Canal		5,181	82		
From Agent of State for town of Indianapolis,		8,136	52		
From Seminary lands,		2,221	08		
From borrowers of Seminary fund (refunded,)		2,660	00		
From interest received from loans of Seminary funds,		2,041	81		
From estates without heirs,		937	18		
From agents of salt springs		213	12		56,919 49
Making the amount of receipts					141,716 66

Since the above period there has been audited for public printing and stationery,	4,673 54
For expenses of last General Assembly, including pay of members, clerks, and doorkeepers,	16,114 22
For salaries of Executive officers,	2,596 72
For Prosecuting attorneys,	1,004 04
For Supreme and President Judges,	5,514 98
For Probate Judges,	2,220 00
For Adjutant and Quarter Master Generals,	170 71
For State Seminary,	2,508 68
For State Library,	100 00
For State Prison,	1,971 34
For Wabash and Erie Canal,	28,753 00
For Michigan Road,	33,955 47
For seat of Government,	342 85
For specific appropriations,	1,250 33
For superintending salt springs,	30 00
For Wolfscaps	795 50
For loans of Seminary fund,	7,177 50
For Treassry notes burnt,	5 00
For Presidential election,	209 70
For conscientious fines,	36 00
For Contingent fund,	836 35

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Making the total amount of expenditures, \$110,265 93

From 141,716 66 (the receipts) take  
 110,265 93 (the expenditures) and  
 there remains in the Treasury  
 on the 5th day of December, 1832,  
 the sum of 31,450 73

The amount of assessments for the present year, is \$46,531 05, from which after deducting delinquencies and expenses incident to the collection of the Revenue, there will probably be realized to the Treasury \$39,000 00

Respectfully submitted,

MORRIS MORRIS, A. P. A.

On motion of Mr. Vawter,

The petition of John Boner heretofore laid on the table, was taken up and referred to the same select committee, to which was referred the memorial of Solon Robinson.

Mr. Clark, from the select committee to which was referred the petition of Hilkiah Woodfork, reported a bill, authorizing the Washington Circuit Court to hold a special session;

Which was twice read (the rules of the House having first been dispensed with) and

*Ordered* to be engrossed and read a third time on Monday next.

On motion of Mr. Wilson,

*Ordered*, That the Clerk inform the Senate that this House is now ready to continue the election of United States' Senator pursuant to the adjournment of this morning, and that the Senate be invited to attend for that purpose instanter, in the Representative Hall, and that seats are provided for them on the right of the Speaker's chair.

Mr. Mitchell moved the following resolution:

*Resolved*, That the committee appointed upon so much of the Message of the Governor, as relates to public lands, be instructed to enquire into the expediency of memorializing the Congress, of the United States, to make such a change in the land laws, that every poor man with a family, who has no means to purchase land, may after five years actual settlement, receive a deed for one half quarter of any lands, which have been offered for sale seven years and upwards.

Mr. Steele moved to amend the same, by inserting after the word "man," these words "or woman;"

Which was carried in the affirmative.

Mr. Ferguson of C. moved further to amend the same, by inserting after the word "or woman" these words "citizens of the United States;"

Which was agreed to by the House.

Mr. Hannegan moved further to amend the same by striking out the words "seven years and upwards;"

Which motion was decided in the negative.

Pending the question on the adoption of said resolution,

The Senate came down from their Chamber and took their seat on the right of the Speaker's chair, the President of the Senate on the right of the Speaker; when, in pursuance of the adjournment of this morning, both Houses continued by joint ballot, the election of a Senator of the United States, to fill the vacancy to be occasioned by the expiration of the term of service of John Tipton, on the 3d day of March next.

## On the eighth ballot

John Tipton	received	40	votes	for that office
Oliver H. Smith	"	29	"	"
Ratliff Boon	"	6	"	"
James G. Read	"	10	"	"
Arthur Patterson	"	10	"	"
John Ewing	"	1	"	"
Tho. H. Blake	"	2	"	"
Noah Noble	"	3	"	"
David Robb	"	1	"	"
Isaac Blackford	"	3	"	"

No person having received a majority of all the votes given, both Houses proceeded in like manner to a 9th ballot.

## On the 9th ballot,

John Tipton	received	37	votes	for that office.
Oliver H. Smith	"	24	"	"
Ratliff Boon	"	4	"	"
Jonathan M'Carty	"	1	"	"
James G. Read	"	10	"	"
Arthur Patterson	"	16	"	"
Tho. H. Blake	"	1	"	"
Isaac Blackford	"	5	"	"
Noah Noble	"	3	"	"
Wm. W. Wick	"	1	"	"
John Law	"	1	"	"
Robert Hanna	"	1	"	"
Tilman A. Howard	"	1	"	"

No person having received a majority of all the votes given, both Houses proceeded in like manner to a 10th balloting:—

## On the 10th ballot,

John Tipton	received	37	votes	for that office,
Oliver H. Smith	"	21	"	"
Ratliff Boon	"	2	"	"
Arthur Patterson	"	22	"	"
James G. Read	"	5	"	"
Isaac Blackford	"	3	"	"
Tilman A. Howard	"	3	"	"
Jonathan M'Carty	"	6	"	"
W. W. Wick	"	2	"	"
Harbin H. Moore	"	2	"	"
David Robb	"	1	"	"
Bethuel F. Morris	"	1	"	"
Tho's H. Blake	"	2	"	"



No person having received a majority of all the votes given, both Houses proceeded in like manner to an 11th balloting.

On the 11th ballot,

John Tipton	received	35	votes	for	that	office,
Oliver H. Smith	"	15	"	"	"	"
Arthur Patterson	"	24	"	"	"	"
James G. Read	"	1	"	"	"	"
Jonathan M'Carty	"	6	"	"	"	"
Isaac Blackford	"	3	"	"	"	"
Tilman A. Howard	"	4	"	"	"	"
W. W. Wick	"	2	"	"	"	"
Harbin H. Moore	"	3	"	"	"	"
Noah Noble	"	1	"	"	"	"
Charles Dewey	"	5	"	"	"	"
Bethual F. Morris	"	2	"	"	"	"
James Scott	"	1	"	"	"	"
Th. H. Blake	"	1	"	"	"	"
Scattering		2				

No person having received a majority of all the votes given, both House proceeded in like manner to a 12th balloting: —

On the 12th ballot,

John Tipton	received	40	votes	for	that	office,
Oliver H. Smith	"	17	"	"	"	"
Arthur Patterson	"	24	"	"	"	"
Jonathan M'Carty	"	4	"	"	"	"
Charles Dewey	"	5	"	"	"	"
Tilman A. Howard	"	1	"	"	"	"
Harbin H. Moore	"	6	"	"	"	"
Isaac Blackford	"	1	"	"	"	"
W. W. Wick	"	2	"	"	"	"
Noah Noble	"	1	"	"	"	"
David Wallace	"	1	"	"	"	"
James Scott	"	1	"	"	"	"
Blank		2				

No election having yet been made, it was therefore

*Ordered* by the President of the Senate, that said election be adjourned until Monday morning next at half past 9 o'clock.

The Senate then retired to their Chamber;

And the House adjourned until Monday morning, at 9 o'clock.

MONDAY, DECEMBER 10, 1832.

The House met pursuant to adjournment.

The Speaker laid before the House a communication from John M. Johnson, prosecuting attorney of the 3d Judicial circuit of this State, on the subject of the County Seminary of Franklin county;

Which was read and referred to the committee on education.

Mr. Daniel presented a petition of Jesse Y. Welborn and others, "the Mount Vernon Company," praying an act to legalize certain conveyances of real estate, with sundry accompanying documents;

Which were read and referred to the committee on the judiciary.

Mr. Lane presented a petition of Charles I. Battell, praying compensation for legal services rendered the State;

Which was read and referred to the committee on claims.

Mr. Proffit present a communication from C. I. Battell, asking compensation to J. A. Brackenridge, esq., for services rendered as prosecuting attorney *pro tempore* of the Dubois circuit court, accompanied by a certificate of the Clerk of said county, showing such appointment;

Which were read and referred to the committee on claims.

Mr. Sands presented a petition of Charles Secrest and others, praying the establishment of a State road from Carlisle in Sullivan County, via Newbrunswick in Clay county and other points, to Green Castle in Putnam county;

Which was read and referred to the committee on roads.

Mr. Shortridge presented a petition of Moses Rush and others, citizens of Tippecanoe and Carroll counties, praying for the formation of a new county;

Which was read and referred to a select committee of Messrs. Shortridge, Wilson and Buell.

Mr. Ferguson of C. presented a petition of George White, praying compensation for building a bridge over Silver Creek, with accompanying documents;

Which was read and referred the to the committee on claims.

Mr. Crawford presented a petition of William Latta and others praying an alteration in the "act for the location of a State road from Logansport via Turkey creek and Elkhart Prairie, to the Nothern line of this State, in the direction of Pigeon prairie, in Michigan Territory;"

Which was read referred to a select committee of Messrs. Crawford, Tibble and Wilson.

The Senate then came down from their Chamber and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker; when, in pursuance of the adjournment of Saturday evening last, both Houses continued by joint ballot, the election of a Senator of the United States, to fill the vacancy to be occasioned by the expiration of the term of service of John Tipton, on the 3d day of March next.

On the 13th ballot,

John Tipton	received	33 votes for that office,
Arthur Patterson	"	21 " " "
Charles Dewey	"	11 " " "
Harbin H. Moore	"	1 " " "
Jonathan M'Carty	"	18 " " "
James Scott	"	6 " " "
John Test	"	1 " " "
Robert Hanna	"	1 " " "
James B. Ray	"	2 " " "
Isaac Blackford	"	1 " " "
John Law	"	1 " " "
Marshall		1 " " "
Blank		4

No person having received a majority of all the votes given, both Houses proceeded in like manner to a 14th balloting.

On the 14th ballot,

John Tipton	received	32 votes for that office,
Arthur Patterson	"	25 " " "
Jonathan M'Carty	"	18 " " "
Charles Dewey	"	16 " " "
James Scott	"	2 " " "
Ratliff Boon	"	1 " " "
John Law	"	3 " " "
John Ewing	"	1 " " "
Tilman A. Howard	"	2 " " "
John Test	"	1 " " "
Isreal T. Canby	"	1 " " "

No person having received a majority of all the votes given, both Houses proceeded in like manner to a 15th balloting:—

## On the 15th ballot

John Tipton	received	29	votes	for that office
Arthur Patterson	"	25	"	"
Jonathan M'Carty	"	16	"	"
Charles Dewey	"	23	"	"
John Law	"	2	"	"
Tilman A. Howard	"	5	"	"
William C. Linton	"	1	"	"
Noah Noble	"	1	"	"
Abel C. Pepper	"	2	"	"

No person having received a majority of all the votes given, both Houses proceeded in like manner to a 16th balloting:—

## On the 16th ballot,

John Tipton	received	34	votes	for that office,
Arthur Patterson	"	21	"	"
Charles Dewey	"	24	"	"
Jonathan M'Carty	"	14	"	"
Tilman A. Howard	"	1	"	"
John Law	"	3	"	"
H. C. Hammond	"	1	"	"
John Test	"	1	"	"
W. W. Wick	"	1	"	"
Abel C. Pepper	"	1	"	"
Wm. C. Linton	"	1	"	"
Blank		1		

No person having received a majority of all the votes given, both Houses proceeded in like manner to a 17th ballot.

## On the 17th ballot,

John Tipton	received	42	votes	for that office.
Charles Dewey	"	28	"	"
Arthur Patterson	"	14	"	"
Jonathan M'Carty	"	12	"	"
John Law	"	1	"	"
George Boon	"	1	"	"
Rathff Boon	"	2	"	"
Robert Hanna	"	1	"	"
Wm. C. Linton	"	1	"	"
Blank		1		

No election having yet been made, both Houses proceeded in like manner to an 18th balloting:



On the 18th balloting,

John Tipton	received	49	votes for that office,
Charles Dewey	"	20	" " "
Jonathan M'Carty	"	11	" " "
Arthur Patterson	"	9	" " "
Robert Hanna	"	4	" " "
William C. Linton	"	1	" " "
Iseral T. Canby	"	1	" " "
Boon	"	2	" " "
John Law	"	2	" " "
W. W. Wick	"	1	" " "
Blank		3	

No person having received a majority of all the votes given, both Houses proceeded in like manner to a 19th balloting:--

On the 19th ballot,

John Tipton	received	54	votes for that office,
Charles Dewey	"	9	" " "
Jonathan M'Carty	"	16	" " "
Arthur Patterson	"	11	" " "
Robert Hanna	"	4	" " "
John Law	"	1	" " "
Oliver H. Smith	"	2	" " "
Wm. C. Linton	"	2	" " "
Thomas H. Blake	"	1	" " "
Ratliff Boon	"	1	" " "
John W. Davis	"	1	" " "
Blank		1	

John Tipton having a majority of all the votes given, was by the President of the Senate, in presence of both Houses of the General Assembly, declared duly elected a Senator of the United States, for the term of six years, from and after the third day of March next.

The Senate then retired to their Chamber;

And then the House adjourned until 2 o'clock, P. M.

*2 o'clock P. M.*

The House met pursuant to adjournment.

Mr. Ruddick presented a petition of sundry citizens of Bar-

tholomew county praying relief to John F. Jones, collector of that county;

Which was read and referred to a select committee of Messrs. Ruddick, Woodruff and Cravens.

Mr. Peyton presented two petitions of sundry citizens, severally praying a State road from Carlisle to Green Castle via New Brunswick and Bowlinggreen;

Which were read and referred to the committee on roads.

Mr. Moore presented memorials of the "Congregation of Christ" and of sundry citizens, praying an act to incorporate the "Christian University College" at Jeffersonville, with accompanying documents;

Which were read and referred to the committee on education.

Mr. Henly presented a memorial of the Bishop of the last named church, praying the same act of incorporation;

Which was read and referred to the committee on education.

Mr. Daniel gave notice that he would on Saturday next, ask leave to introduce a bill creating and incorporating the county seminary of Posey county in this State.

The House resumed the consideration of the resolution moved by Mr. Mitchell, relative to memorializing Congress, for a grant of lands to actual settlers, without the means to purchase, depending when the House adjourned on Saturday evening last; and

On the question,

Shall said resolution be adopted?

It was decided in the affirmative.

On motion of Mr. Vawter,

*Resolved*, That a committee of seven, consisting of one from each judicial district, be appointed to enquire into the expediency of making a further appropriation of the 3 per cent. fund, amongst the several counties within this State, with power to report by bill or otherwise.

On motion of Mr. Goodbar,

*Resolved*, That the committee on education be instructed to inquire into the expediency of revising the act entitled "an act incorporating Congressional townships and providing for public schools therein," approved, Feb. 10, 1831, and that they report by bill or otherwise.

On motion of Mr. Lowe,

*Resolved*, That the committee on roads be instructed to enquire into the expediency of repealing so much of the 60th section of the act entitled an act for opening and repairing public roads and

highways as provides a compensation of seventy-five cents per diem, for supervisors, and of substituting in lieu thereof, such compensation as the board doing county business may deem reasonable and just.

Mr. Daniel moved the following resolution:

*Resolved, by the House of Representatives of the State of Indiana,* That the members of this body, are bound by the spirit of our institutions, to adhere to instructions given by the respective counties, in local matters, and also to pursue the same rule on great and general questions, when sufficiently apprised of the wishes of their constituents;

Which was read, and

On motion of Mr. Mitchell,

Laid on the table.

On motion of Mr. Roop,

*Resolved,* That an additional member from each judicial circuit, be added to the committee on Congressional Districts.

Mr. Shortridge moved the following resolution:

*Resolved,* That the committee on elections be instructed to enquire into the expediency of so amending the law regulating elections, as to authorise the county commissioners to cause two polls to be opened at the county seat of the several counties of this State at the August and Presidential elections; and that they report by bill or otherwise.

Mr. Hanna moved to amend the same, by inserting after the word elections where it last occurs, these words, "and that voters be confined to the election districts in which they reside to give their votes."

Mr. Wooden moved to lay said resolution and proposed amendment on the table;

Which motion passed in the affirmative.

Mr. Daniel moved the following resolution:

*Resolved,* That the President of the United States be assured, that the blood and treasure of this State, is laid at the disposal of the General Government, to suppress insurrection at home and invasion from abroad.

Mr. Proffit moved to lay said resolution on the table,

Which motion passed in the affirmative.

On motion of Mr. Mitchell,

*Resolved,* That the committee on roads be instructed to enquire into the expediency of amending the act entitled an act to establish a state road from the Tobacco Landing on the Ohio river, by the way of Laconia, to Corydon in Harrison county; with leave to report by bill or otherwise.

On motion of Mr. Payne,

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of so amending the act regulating the action of replevin, approved January 20th, 1831, as to provide, that in all cases where the sheriff taking bond from the plaintiff for the due prosecution of the suit, and for returning the goods and chattles &c., shall have died, been removed, or his term of service expired, without having assigned such bond to the defendant, that his successor in office shall, at the request of the defendant, make such assignment; and that they report by bill or otherwise.

Mr. Mastin moved the following resolution;

*Resolved*, That the committee of elections be instructed to enquire into the expediency of so amending the law regulating elections, as to authorize the board doing county business to hold elections in their respective counties two days at their August and Presidential elections;

Which was read, and,

On motion of Mr. Vawter,

*Ordered*, the same be laid on the table.

On motion of Mr. Bryant,

*Resolved*, That the Judiciary committee be instructed to enquire into the expediency of so amending the law dividing the state into judicial circuits and fixing the times of holding courts therein and for other purposes; as to allow the circuit court of Parke county to hold their sessions for two weeks if the business shall require it; and report by bill or otherwise.

Mr. Proffit moved the following resolution,

*Resolved*, That the committee of ways and means be instructed to enquire into the expediency of amending the revenue laws so as to introduce the ad valorem system of taxation.

Mr. Henly moved to lay said resolution on the table;

Which motion was carried in the affirmative.

On motion of Mr. Vawter,

The resolution moved by him and laid on the table on the 4th inst. on the subject of the printing the journals, was taken up.

Mr. Proffit moved to fill the blank in said resolution with 1200, Mr. Crume proposed 1300, Mr. Wooden proposed 75—1500, 1000, 800, and 500, were also severally named.

The question was put on filling the blank with 1500;

Which was decided in the negative.

The question was then put upon filling with 1300;

And decided in the negative.

A motion was made by Mr. Daniel to lay said resolution on the table;

Which was decided in the negative.

Mr. Henly moved to refer said resolution to a select commit-



tee, with instructions to take into consideration the propriety of reducing the number in proportion to the expense of the newspapers furnished the members of this House for distribution, and also to prescribe the manner in which the journals shall be distributed.

Which motion was decided negative.

The question recurring on filling the blank with the number 1200,

It passed in the affirmative.

The said resolution as amended was then agreed to.

On motion of Mr. Palmer,

*Ordered*, That 225 copies each of the Auditor and Treasurer's annual report presented on Saturday last, be printed for the use of the members of this House.

On motion of Mr. Crume,

*Resolved*, That the committee on roads be requested to enquire into the expediency of repealing an act entitled "an act to relocate a part of the Lawrenceburgh and Rushville state road in Rush county," approved February 2d, 1832.

Mr. Slaughter moved the following resolution, which was read, and

On the question to adopt the same it was decided in the negative, viz:

*Resolved*, That the committee on roads be instructed to enquire into the expediency of so amending the act regulating the manner of working on roads, as to repeal the tax on residents' lands for road purposes, and to authorize the supervisors of roads to call out all persons subject to work on roads whenever he may deem it necessary; and to report by bill or otherwise.

On motion of Mr. Cox,

*Resolved*, That the committee on roads be instructed to enquire into the expediency of re-locating so much of the state road leading from Spencer in Owen county, to Danville in Hendricks county, as lies between the county line of Owen county and Solomon Dunagan's farm in Morgan county; with leave to report by bill or otherwise.

On motion of Mr. Hargrove,

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of so amending the law regulating the mode of summoning and empannelling grand and petit jurors, as to provide by law for the summoning of twelve persons as petit jurors, instead of the number twenty-four, for each week during the term of the respective circuit courts in this state; and report by bill or otherwise.

On motion of Mr. Stanford,

*Resolved*, That the committee on education be instructed to enquire into the expediency of so amending the 37th section of an act incorporating Congressional townships and providing for public schools therein, as to authorize the trustees of any Congressional township, to alter any school district heretofore laid off: provided such alteration shall not derange any district wherein the school house is built or commenced.

On motion of Mr. M'Nary,

The resolution moved by him and laid on the table on the 4th instant, relative to the limitation of Justices' jurisdiction to their own townships, except in certain cases, was taken up:

The question being put, shall said resolution be adopted?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Bradley, Carter of M. & C., Clark, Claypool, Cox, Crawford, Daniel, Davis of S., Dunn, Edwards, Fowler, Goodbar, Hamilton, Hanna, Hargrove, Henly, Howell, Huntington, Lane, Levenworth, Mastin, M'Junkin, M'Nary, Mitchell, Moore, Osborn, Palmer, Parks, Payne, Peyton, Proffitt, Ribble, Ruddick, Sands, Schoonover, Shortridge, Slaughter, Stanford, Wallace, Wooden, Woodruff, and Davis. Sp'k.—44.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bryant, Buell, Carter of O., Cravens, Cristler, Crume, Culley, English, Ferguson of U, Heustis, Lewis, Livingston, Lowe, Parker, Reid, Roop, Skeen, Smith, Steele, Vawter and Watt—23.

And so said resolution was adopted.

Mr. Proffitt, after having obtained leave, presented a joint resolution relative to the public lands;

Which was read and passed to a second reading.

Mr. Huntington, after having obtained leave, presented a joint resolution on the subject of nullification;

Which was twice read (the rules of the House having first been dispensed with) and committed to a committee of the whole House for to-morrow.

And then the House adjourned until to-morrow morning nine o'clock.

TUESDAY, DECEMBER 11, 1832.

The House met pursuant to adjournment.

The Speaker appointed Messrs. Vawter, Hannegan, Ferguson of C. Howell, Cox, Stanford and Bonner a committee pursuant to the resolution adopted yesterday, on the subject of the 3 per cent. fund.

Messrs. Roop, Bryant, Lynd, Levenworth, Bell, Steel, and Wallace were added to the committee on the subject of the Congressional districts pursuant to a resolution adopted yesterday.

The Speaker laid before the House the annual report of the Canal Fund Commissioners:

*To the General Assembly of the State of Indiana:*

The Commissioners of the Canal fund, in obedience to the act of the General Assembly of the state of Indiana, entitled "an act supplemental to an act providing means for the construction of the Wabash and Erie Canal," approved January 9, 1832, respectfully report.

That on the 28th day of February last, the board organized at Indianapolis. On the organization of the board, the Commissioners proceeded, as authorized by law, to settle with the Treasurer of State and with the Agent of the three per cent. fund, and to ascertain the amount of funds subject to Canal purposes in their hands respectively.

On such settlement, 24,123 4-100 dollars of monies arising from the sale of Canal lands, were ascertained to be in the hands of the Treasurer of State, and 4,528 52-100 dollars in the hands of the Agent of the three per cent. fund, which had been appropriated for the improvement of the Wabash river, and which the Commissioners, by virtue of a joint resolution of Feb. 2, 1832, were authorized to withdraw from the hands of the Agent.

Of the sums which thus came to their hands, amounting together, to the sum of 28,651 56-100 dollars, the sum of 5,000 dollars was immediately, at the request of the Canal Commissioners, placed at their disposal, and the residue, except a small sum retained for contingent expenses, was, within a short time, loaned to individuals on good personal security, at an interest of 6 per cent. per annum. This sum, the commissioners have concluded to keep as a contingent fund, to meet such exigencies as may arise in the prosecution of the Canal.

By the act above referred to, the Commissioners were directed to contract a loan of 200,000 dollars, on terms named in said act. Accordingly, the Commissioners, after having advertised the loan

in the cities of Baltimore, Philadelphia and New York, during the last summer, proceeded thither, and negotiated a loan at six per cent. with J. D. Beers, & Co. of New York, at a premium of 13 26-100 per cent. By the terms of the loan, the state is bound to pay the interest accruing upon it semi-annually, on the first days of January and July, at the merchants bank in the City of New York, and the principal in 30 years, with the privilege, however reserved to the state, of paying the same at any time after 20 years, at the option of the state, provided not less than 50 per cent. on the whole sum, be paid at any one time.

By an arrangement with the merchants bank, in the City of New York, our semi-annual payments of interest are made to the holders of the stock at that bank without charge, and an interest of 4 per cent. on all deposits made therein, allowed the state.

The Commissioners deemed it inexpedient to borrow a larger sum than 100,000 at that time, because by the provisions of the act, they were prohibited from drawing a greater sum from the loan contemplated, than the amount really due the state, on the sales of Canal lands.

The sum due the state, from the purchasers of the Canal lands, did not, at that time, amount to the sum of \$100,000, but as a sale of lands was about to take place, the Commissioners agreed with the contractors for the loan, that 50,000 dollars and the premium on the *whole* sum, (viz: 13,260 dollars,) should be paid in hand, and the remaining half of the loan, be paid on the first day of March next, from which time, the state is to pay interest on the last 50,000 dollars.

As a further reason for not contracting for the sum of 200,000 dollars, the Commissioners will remark, that they were informed the sum of 100,000 dollars would be entirely sufficient for the operations of the season and until the Legislature could have an opportunity of revising that proviso in the fourth section of the act, which restricts the Commissioners as to the amount to be drawn from loans negotiated. It was also evident that a loan for 200,000 dollars could not be advantageously made, unless the Commissioners would stipulate the precise period at which the money would be called for, and even if that could have been done, other difficulties presented themselves. The Commissioners could not foresee the time at which the lands would be sold, and the prices at which they would sell. No stipulation could, therefore, be entered into that would be at all safe to the state, for a greater sum than 100,000 dollars, which was accordingly contracted for, by the Commissioners, and the propriety of their course is now submitted to the Legislature.

The Commissioners, however, lest what they have said, may tend to mislead the Legislature, will here remark, that the sum borrowed was taken as a part of the 200,000 dollar loan, authoriz-



ed by the General Assembly, at an interest of 6 per cent, and was so advertised, leaving the balance of it to be negotiated and drawn when it can be done according to law. The General Assembly will therefore judge, whether in any further legislation on the subject, it will not be expedient to discriminate between the 200,000 dollars 6 per cent. loan of 1832, and any further loans that may be authorized.

By the provision of the act of the 9th of January aforesaid, it is made the duty of the Fund Commissioners to settle with the Canal Commissioners on or before the first Monday of December, annually, which settlement, together with a full and minute account of the fund, is required to be reported to the General Assembly. In obedience to the requisitions aforesaid, the undersigned have made a settlement with the Canal Commissioners, and having carefully examined their vouchers, believe their accounts to be correct. We find that of the sum placed at the disposal of the Canal Commissioners, \$5,420 9-100 has been paid out; an account of which, supported by vouchers, has been submitted to us, and a copy of which account is herewith presented, marked A.

The following exhibits at one view, the situation of the whole fund:

#### WABASH AND ERIE CANAL FUND EXHIBIT.

To amount received from Treasurer of State for Canal Lands sold,	24,123 04	
Amount received from Agent of 3 per cent. fund and Wabash fund,	4,528 52	
	<hr/>	58,651 56
" in the hands of D. Burr, as reported to Gen. Assembly, Feb. 16, 1831,	219 87	
" in the hands of Saml. Lewis, reported at the same time,	118 51	
" of interest on lands sold in 1830 per D. Burr's account,	51 72	
" of interest on lands sold in 1830 per Saml. Lewis' account,	281 42	
" of interest on lands sold in 1830 per J. Vigus' account,	2,233 08	
	<hr/>	2,566 42
" full payments on land sold in 1830 per J. Vigus' account,	894 45	
" full payments on lands sold in 1830 per S. Lewis' account,	155 26	
	<hr/>	1,049 79
" received by Samuel Lewis for lands sold since Oct. 6, 1832, and inter-		

est thereon as per account,	1,984 38	
“ received by Jordan Vigus since Oct. 6, 1832, for lands sold and interest thereon, as per account,	13,257 17	15,241 55
“ received on the loan authorized by law, to wit: on the 18th day of Aug. 1832, at the Merchants' Bank, in N. Y. from J. D. Beers & Co.		63,260 00
Total,		\$111,007 42
From this total has to be taken the sums disbursed by the Canal Commission- ers, as shown by the statement marked A and herewith presented,	5,420 09	
And the sums disbursed by the Fund Commissioners in negotiating the loan, salaries, &c. as shown by the file mark- ed B, herewith also submitted,	1014 10	6,434 19
Balance,		104,573 23

This balance is subject to augmentation by the interest accruing to the state from the loans above adverted to, and by the interest on deposits in the Merchant's Bank, and is subject to a charge of some printing accounts and others of small amounts, for which vouchers are not yet obtained.

The act creating the board to which we belong, invites us to make such recommendations as we think important to the fund committed to our management. The board will therefore respectfully suggest to the Legislature, such an amendment in the act of the 9th January, 1832, as will require the Fund Commissioners to draw such sums and at such periods, and to contract for such loans as the Canal Commissioners may indicate, will be required from time to time.

If the Legislature think proper to impose any restrictions on the Canal Commissioners, (where it ought to be imposed, if at all,) it should be so guarded as not to throw any obstacle in the way of obtaining advantageous loans by the Fund Commissioners. The restriction naturally turns the attention of the stock dealer or capitalist to the land subject, and his mind has first to be satisfied that the Commissioners are not likely to exceed their powers, whereas authority to act on the suggestions of the Canal board would limit inquiries to the general resources of the state and general pledge of state faith.

The board would further suggest, that when another loan is

authorized, it be for the whole sum necessary to complete the Canal. The undersigned believe that a single loan for a large sum would be taken on terms more advantageous to the state, than if taken in small sums and at different periods during the progress of the work. It is believed that a loan of \$500,000 at 6 per cent. would be taken at a premium that would pay the interest for the term of 3 years, during which time the Canal might be completed if labor can be procured on reasonable terms. Should 4 years be required for its completion, still the state would loose nothing, as the interest yielded on the deposits, might amount to (and most probably would) a sum greater than the interest of a single year. The purchasers of our stock are now interested in the prosperity of the state, and to them the propriety of adopting some course by which the land can be made to yield the greatest possible sum, seems desirable. If we can suppose the whole line completed, within four years, without paying interest, we can readily imagine, that with the Canal added to the fund arising from the lands, which by the construction of the Canal would have increased value, but little difficulty could arise in meeting the subsequent payments of interest.

Time is hardly afforded, to examine and correct our own accounts; and pass the vouchers and drafts of the Canal Commissioners, with that scrutiny, which accounts of their importance demands, within the first week of the meeting of the General Assembly.

The month of November is usually a good month for Canal operations, and consequently, the time of the Canal Commissioners is taken up on the line, thereby precluding them from making reports to this board, until near the time, when the undersigned are required to report to the Legislature. It might insure a greater degree of correctness, to extend the period of our Report, to the second week, instead of the first week in December.

Respectfully submitted,

WM. C. LINTON,	} Fund Commrs.
N. MCARTY,	
J. SULLIVAN.	

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(A.)

## EXPENDITURES OF CANAL COMMISSIONERS.

1832, June 16. To amount of expenditures paid by D. Burr for printing, pay of hands, stationary, provisions, &c., from December 16th, 1831, to June 16th, 1832, as per his

account rendered, No. 1.	\$125 84
“ November 30. Am't of expendi- tures paid by D. Burr since 16th June - - -	363 18
	<hr/> 489 02

Amount of expenditures paid by Samuel Lewis, for hire of hands, boarding, and Engineer's account for contingencies, as per account rendered, No. 2 - - -	212 01
	<hr/> 212 01

Amount of expenditures paid by J. Vigus for Clerk hire at land sale, for classing lands, printing, &c., as per account rendered, No. 3 -	253 06
	<hr/> 253 06
	<hr/> 954 09

Salary of J. L. Williams, princi- pal Engineer, from June 16th to November 30, as per account No. 4	810 00
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Paid Contractors for $\frac{1}{2}$ of 4,188 of labour done on Canal line as per abstract or account rendered No. 5, with receipts - - -	2,094 00
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D. Burr's salary as Canal Com- missioner from the 16th Decem- ber to the 16th of June, (see ac- count No. 1,) 177 days	354 00
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D. Burr's salary from the 16th of June to the 30th of November, 105 days - - -	210 00
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Samuel Lewis' salary, as Canal Commissioner from the 16th De- cember, 1831, (see account No. 2,) 153 days - - -	306 00
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Samuel Lewis' salary, from the 16th June, to the 30th November, (see account No. 2,) 139 days -	278 00
	<hr/> 584 00

J. Vigus' salary from the 16th December, 1831, to the 30th of November, 1832, 297 days -	414 00
	<hr/> 414 00
	<hr/> 1,562 00

Total expenditures	<hr/> \$5,420 00
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## (B.)

## EXPENDITURES OF FUND COMMISSIONERS.

To Douglass & Maguire. February 10, 1832,  
for printing 150 copies of pamphlets, con-  
taining laws, reports, &c., in relation to the  
Wabash and Erie Canal, (account No. 1) \$16 60  

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16 60

To Isaac Munroe,

For publishing advertisements relative to the  
Indiana Canal loan, from April 10, 1832, 4  
times, 3 squares (account No. 2,) (Baltimore) 3 00  

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3 00

To M'Carty & Williams,

March 17, 1832. To cash paid postage on let-  
ter from New York 25  
May 28. One Scott & Lodwick map of Indiana 4 50  
June 25. Cash paid postage on letter from N.Y. 25  
July 9. do. do. do. do. do. 25  
Sept. 24. do. do. do. W. C. Linton's letter  
of Sept, 28 12  
Oct. 14. do. Do. letter from New York 25  
Dec. 5. Two oz. wafers - - 12  
To half doz. English quills, at 62½ ct.  
(act. No. 3) 31  

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\$6 06

To Wm. C. Linton,

To 7 days services, attending meeting at In- 09  
dianapolis, 28th February, 1832, at \$2 pr. day 14 00  
Cash expended same meeting 7 00  
To 2 days at meeting in May, 1832 4 00  
To 100 days from the 20th May, to 1st Sept.  
(except 2 days) - - - 200 00  
To cash expended on behalf the State in  
travelling, and in negotiating in Philadelphia  
and New York, in regard to the Canal loan 200 00  
To 12 days, to 7th Dec., 1832, at meeting of  
November and December, 1832 24 00  
Cash expended same time, (account No. 4) 12 00  

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461 00

## To Jeremiah Sullivan,

For 2 days services in May, 1832, at \$2	\$4 00
“ 7 days in attending meeting at Indianapolis in May, 1832, at 2 00	14 00
To expenses in attending same meeting, money paid out, &c.	13 00
To 41 days at Philadelphia and New York	82 00
“ 5 days conveying stock certificates to Indianapolis to be countersigned,	10 00
To cash paid out in negotiating loans at Philadelphia and New York	130 06
To one day's services in October	2 00
“ 17 days in November and Dec. 1832,	34 00
December 6, to cash paid out at same time, (account No. 5)	21 00
	<hr/> 310 00

## To Nicholas M'Carty,

To 2 days attending meeting at the Board, 28th and 29th of February at \$2	4 00
To 2 days attention in loaning money and attending to publications ordered by the Board, &c.	4 00
To 2 days attending meeting of the Board, in May 1832	4 00
To 30 days travelling and assisting in negotiating loan in New York	60 00
To cash paid necessary expenses during said 30 days	137 00
Dec. 7, to 3 days attending Board now in session, inclusive, (account No. 6)	6 00
	<hr/> 215 00

## To John Cain,

May 25, for one Blank Book, 4 quires	\$1 50
To lettering the above book	12
“ postage on 4 newspapers	06
December 6, to an alphabet, (account No. 6)	75
	<hr/> \$2 43
	<hr/> \$1,014 10

Which were read and referred to the committee on canals and internal improvements.

Mr. Vawter moved that 225 copies of said report be printed;  
Mr. Finch proposed 500:

And on the question to print five hundred copies,  
It was carried in the affirmative.

Mr. Parks presented a petition of Elmore Walker and others, purchasers of Seminary lands in Monroe county, praying for relief—Also,

A communication from James Borland, commissioner of said lands on the subject of said purchases;

Which were severally read and referred to the committee on education.

Mr. Finch presented a petition of Daniel Nelson and others, praying for a road from Delphi via Monroe to Crawfordsville;

Which was read and referred to the committee on roads.

Mr. Crawford presented a petition of A. P. Andrews and others, praying for a road from where the Michigan road crosses Yellow river via the town of Laport, to the mouth of Trail creek on Lake Michigan;

Which was read and referred to the committee on roads.

Mr. Cully presented a petition of J. Rittenhouse and others, praying for a road from Harrison, to intersect the Lawrenceburgh and Indianapolis state road at or near Esq. Bordmans in Ripley county;

Which was read and referred to a select committee of Messrs. Culley, Cristler and Bradley.

Mr. Moore presented a petition of John Abbott and others, praying an amendment of the act incorporating the town of New Albany, with an accompanying document;

Which were read and referred to a select committee of Messrs. Moore, Henley and Levenworth.

On motion of Mr. Carter of O.

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of so amending the act entitled "an act regulating the taking up of animals going estray, and water craft and other articles of value adrift," approved February 10, 1831, as in all cases where any animal or animals or water craft are taken up as estray, and no person or persons comes forward within twelve months from the time of the taking up of the estray, and prove their property, the right of the animal or animals or water craft so taken up, shall be forever after vested in the taker up thereof; and report by bill or otherwise.

Mr. Carter of O. moved the following resolution:

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of so amending the act entitled an act regulating the jurisdiction and duties of justices of the peace, approved

Feb. 10th, 1831, as that no person in any civil case, shall be sued and compelled to answer out of the township in which he resides or may be found, and that no constable shall be allowed any fee as mileage for going to serve and returning any summons, scirefacias, subpoena, execution or any process in civil cases; and report by bill or otherwise.

Mr. Palmer moved to amend the same by striking out so much thereof as relates to justices sending process out of their own township;

Which was carried in the affirmative.

The question then recurring on the adoption of the resolution as amended;

It was decided in the negative.

On motion of Mr. M'Nary,

*Resolved*, That a select committee be appointed to enquire into the propriety of memorializing Congress upon the subject of procuring an additional appropriation of \$100,000, or such other sum as may be deemed expedient for the purpose of further improving the National Road through the state of Indiana.

*Ordered*, That Messrs. M'Nary, Rariden and Huntington be that committee.

Mr. Carter of O. moved the following resolution,

*Resolved*, That the committee on education be instructed to enquire into the expediency of so amending the act entitled "an act incorporating Congressional townships and providing for public schools thereon, approved Feb. 10, 1831, as not to make the poor and unsettled men, who have no land of their own, together with those men that have no children to school, pay as much in labor or otherwise towards building school houses, as the free holders and the men of wealth, and report by bill or otherwise;

Mr. Proffit moved to lay the same on the table;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Bryant, Carter of M. & C., Crawford, Edwards, Moore, Proffit and Rariden—S.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Bradbury, Bradley, Buell, Carter of O. Clark, Claypool, Cox, Cravens, Cristler, Crume, Culley, Daniel, Davenport, Davis of S., Dunn, English, Ferguson of U, Finch, Fowler, Goodbar, Hamilton, Hanna, Henley, Heustis, Howell, Huntington, Lane, Levenworth, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Osborn, Palmer, Parker, Parks, Payne, Peyton, Pruett, Reid, Ribble, Roop, Ruddick, Sands.



Schoonover, Shortridge, Skeen, Slaughter, Smith, Stanford, Steele, Vawter, Wallace, Watt, Wooden, Woodruff, and Davis, Sp'k.—61.

And so said resolution was not laid on the table.

The question being then put on the adoption of said resolution; It passed in the affirmative.

Mr. Clark moved the following resolution:

*Resolved*, That the judiciary committee be, and are hereby instructed to enquire into the expediency of so changing the law as to invest the collector of county revenue with all the powers of treasurer, thereby doing away the office of county treasurer; with leave to report by bill or otherwise;

Which was read, and

On the question to adopt the same,

It was decided in the negative.

Mr. Cristler moved the following resolution:

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of repealing the act entitled "an act to prohibit the circulation of bank notes of a denomination less than five dollars."

Mr. Parker moved to amend the same so as to make it imperative upon the committee to report a bill;

Pending said question it was,

On motion of Mr. Culley,

*Ordered*, That said resolution and proposed amendment be laid on the table.

Mr. Wooden moved the following resolution:

*Resolved*, That the Adjutant General of Indiana be requested to lay before this House a statement of the men subject to military duty in Indiana, and of the public arms received from the General Government by the authorities of the State.

Mr. Steele moved to amend the same by adding thereto, these words, "and the private arms;"

Mr. Dunn moved to amend said amendment by adding thereto the following "distinguishing between them;"

Which motion passed in the affirmative.

The question being put on said proposed amendment as amended;

It was carried in the affirmative.

The said resolution as amended was then agreed to by the House.

On motion of Mr. Hanna,

The resolution moved by him and laid on the table on the 4th instant, on the subject of the interest of money, was taken up;

Mr. Hanna moved to amend the same by striking it out from the resolving clause, and inserting in lieu thereof the following

"That the committee of ways and means be instructed to enquire into the expediency of levying and collecting a tax for county purposes on all sums of money hereafter loaned, regulating the amount of tax in proportion to the amount of interest for which the money may be loaned."

Which motion passed in the affirmative; when,

On motion of Mr. Cravens,

The said resolution was laid on the table.

On motion of Mr. Proffit,

The resolution moved by him and laid on the table yesterday, relative to the introduction of the ad valorem system of taxation, was taken up;

Mr. Schoonover moved to amend the same by adding thereto the following:

"And that said committee be requested to enquire into the expediency of reporting to this House, a memorial and joint resolution to the Congress of the U. States, praying Congress to repeal that article of the compact entered into between the Congress of the United States and the State of Indiana, exempting all lands purchased from the General Government from taxation for the term of five years after the date of purchase, so far as applicable to the lands hereafter to be sold."

Mr. Palmer moved that the further consideration of said resolution and proposed amendment be postponed indefinitely.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Carter of M. & C. Carter of O. Cravens, Crawford, Cristler, Crume, Edwards, Ferguson of U., Howell, Lewis, Livingston, Osborn, Palmer, Parker, Parks, Payne, Reid, Slaughter, Stanford, Steele, Wallace and Watt—27.

*And those who voted in the negative are,*

Messrs. Bryant, Buell, Clark, Claypool, Cox, Culley, Daniel, Davenport, Davis of S. Dunn, English, Finch, Fowler, Goodbar, Hamilton, Hanna, Hargrove, Heustis, Lane, Levenworth, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Moore, Peyton, Proffit, Pruett, Ruddick, Schoonover, Shortridge, Skeen, Smith, Vawter, Wooden, Woodruff and Davis Sp'k—38.

And so said motion was decided in the negative.

The question then recurring on the amendment proposed by Mr. Schoonover;

And the ayes and noes being requested thereon, by two members:

*Those who voted in the affirmative are,*

Messrs. Cravens, Culley, Dunn, Levenworth, Lewis, Moore, Reid, and Schoonover—8.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Carter of O., Clark, Claypool, Cox, Cristler, Crume, Daniel, Davenport, Davis of Sh., Edwards, English, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hanna, Hargrove, Heustis, Lane, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Osborn, Palmer, Parker, Parks, Payne, Peyton, Proffit, Pruitt, Ribble, Roop, Ruddick, Sands, Shortridge, Skeene, Slaughter, Smith, Stanford, Steele, Vawter, Wallace, Watt, Wooden, and Davis, Speaker—56.

And so said motion was decided in the negative.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House met pursuant to adjournment;

And resumed the consideration of the resolution depending at the last adjournment.

Mr. Carter of O. moved to amend said resolution, by adding thereto the following words "for county purposes only," and report by bill or otherwise;

Which motion was decided in the negative.

Mr. Land moved to amend said resolution, by referring the enquiry therein contemplated to a select committee instead of the judiciary committee;

Which motion was decided in the negative.

Mr. Cravens moved to amend the resolution, so as to direct the committee merely to enquire to what extent the ad valorem system of taxation, might probably be introduced;

Which motion was decided in the negative.

The question being then put,

Shall said resolution be adopted?

And the ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Bryant, Buell, Carter of M. & C., Carter of O., Clark, Claypool, Cox, Crawford, Culley, Daniel, Davenport, Davis of Sh'y, Dunn, English, Finch, Fowler, Goodbar, Hamilton, Hanna, Hargrove, Henstis, Howell, Huntington, Lane, Levenworth, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Moore, Peyton, Proffit, Pruitt, Shortridge, Skeene, Smith, Vawter, Wood- en, Woodruff and Davis, Speaker—42.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Bradbury, Bradley, Cravens, Cristler, Crume, Edwards, Ferguson of C., Ferguson of U., Henley, Lewis, Livingston, Osborn, Palmer, Parker, Parks, Payne, Rariden, Reid, Roop, Ruddick, Schoonover, Slaughter, Stanford, Steele, Wallace and Watt—28.

And so said resolution was adopted.

Mr. Hanna moved the following resolution:

*Resolved*, That the committee on military affairs be instructed to prepare and report a memorial to Congress requesting the name of William Warren to be placed on the pension roll of the invalid pensioners of the United States.

On motion of Mr. Schoonover,

The same was amended by referring that duty to a select committee in lieu of the committee on military affairs;

Said resolution as amended was then agreed to by the House.

*Ordered*, That Messrs. Hanna, Woodruff and Mastin be a committee in pursuance thereof.

Mr. Pruitt moved the following resolution:

*Resolved*, That a select committee of five be appointed to enquire into the expediency of so amending the "act incorporating Congressional townships and providing for schools therein," approved, Feb. 10th, 1831, as to dispense with the school commissioner, with sub-trustees, and of three principal trustees; and substituting in place thereof, one trustee, or school commissioner in each township, with leave to report by bill or otherwise;

Which was read; and

The question being put on its adoption,

It was decided in the negative.

Mr. Bryant moved the following resolution:

*Resolved*, That the committee on roads be instructed to enquire into the expediency of so amending the act entitled "an act to prevent useless and expensive appropriations to the General Assembly relative to State roads," as to authorize theseveral boards



of county commissioners to change State roads, when the proposed change shall extend from one county into another.

Mr. Steele moved to amend said resolution, so as to extend the enquiry of the committee into the expediency of authorizing said boards of commissioners to vacate county roads, when the damages reported, are excessively high; which

Mr. Bryant accepted as a modification of the resolution, and then,

Said resolution was adopted.

On motion of Mr. Daniel,

*Resolved*, That the Speaker of this House be directed to invite Jonathan Jennings, esq., late Governor of this State, to take a seat within the bar of this House.

On motion of Mr. Mastin,

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of so amending the law regulating judicial circuits and times of holding courts therein, as to allow the county of Hendricks, one week at each time, of her several courts to do her business.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate has passed an engrossed bill entitled "an act to amend the act directing the mode of suing out and prosecuting writs of Habeas Corpus," in which the concurrence of the House of Representatives is requested.

The engrossed bill named in said message, was read the first time and passed to a second reading.

Mr. Ferguson of C. moved the following resolution:

*Resolved*, That the committee of ways and means be instructed to enquire into expediency of repealing the act entitled "an act to provide a fund to encourage common schools," approved, Feb. 2, 1832, with leave to report by bill or otherwise;

Which was read, and

On motion of Mr. Stanford,  
Laid on the table.

Mr. Roop moved the following resolution:

*Resolved*, That the committee of ways and means be instructed to enquire into the expediency of so amending an "act for assessing and collecting the revenue," approved, February 10, 1831, as to give the several collectors in this State, until the 1st Mon-

day in January, in each year, to pay into the State Treasury, their respective quota of State tax, and until the 1st Monday of March in each year, to collect and pay over their respective county revenue into the county treasury, and that they report by bill or otherwise;

Which was read, and  
On the question of its adoption,  
It was decided in the negative.

On motion of Mr. Dunn,

The resolution moved by Mr. Shortridge on the subject of opening two polls at county seats on days of general and presidential elections, laid on the table yesterday, was taken up;

Mr. Bryant moved to postpone indefinitely the said resolution; and the proposed and pending amendment thereto;

Which motion passed in the affirmative.

On motion of Mr. Schoonover,

The several orders of the day which precede the engrossed bill authorizing the Washington circuit court, to hold a special session, were for the present postponed, and

The said engrossed bill was read the third time, amended by unanimous consent and passed.

*Ordered*, That it be entitled an act, and that the Clerk carry it to the Senate, and ask their concurrence.

A message from the Senate by Mr. Morris their assistant secretary:

**MR. SPEAKER,**

I am instructed to communicate to this House, the adoption on the part of the Senate, of the following resolution:

*Resolved*, That the House of Representatives be informed that in consequence of the temporary absence of the Lieutenant Governor, the Senate has elected William Graham, one of their body, President *pro tempore*.

Mr. Parker after having obtained leave presented a bill to amend an act entitled "an act to regulate marriages;

Which was read the first time and passed to a second reading.

The House then proceeded to consider the order of the day.

The bill to amend the act entitled "an act to incorporate the Hanover Academy,"

Was read the second time, and

*Ordered* to be engrossed and read a third time to-morrow.

The joint resolution relative to the public lands, was read a second time.

Mr. Proffit moved that it be committed to a committee of the whole House for Monday next.

Pending that question,

A motion was made by Mr. Henley to lay said joint resolution on the table,

And decided in the negative.

The questing being put on the motion of Mr. Proffit to commit,

It was decided in the negative.

Mr. Mitchell moved to amend said joint resolution by striking out all except what relates to a reduction of the price of public lands.

Before the question was put thereon,

Mr. Palmer moved to commit the said joint resolution to the select committee to which was referred so much of the Governor's message, as relates to the public lands, with instructions to said committee to report to the House, on or before Monday next; and,

Before the question was put on such reference,

The House adjourned until to-morrow morning nine o'clock.

## WEDNESDAY MORNING, DECEMBER 12th, 1832.

The House met pursuant to adjournment.

Mr. Parks presented a petition of Benjamin Parks and others, praying a change in the mode of doing county business in the county of Monroe; also, praying a change in the road law;

Which was read, and so much thereof as relates to a change in the mode of doing county business, was referred to the judiciary committee, and so much thereof as relates to the road law, was referred to the Committee on roads.

Mr. Vawter presented a petition of William C. Bramwell, praying an act to aid him in the adjustment of his accounts as road commissioner;

Which was read and referred to the committee on roads.

Mr. Howell presented a petition of John E. Cotton and others, citizens of the counties of Spencer and Warrick, praying an appropriation to improve the navigation of Little Pigeon creek;

Which was read, and referred to the committee of ways and means.

Mr. Hanna presented a petition of B. Frenb and others, praying relief to William Warren, a young man disabled at the time of the mustering of volunteers in the State service;

Which was read and referred to the committee on claims.

Mr. Crawford presented a petition of Benjamin McCarty and others, citizens of Laporte County, praying the passage of a law making every section line in said county a public highway;

Which was read and referred to the committee on roads.

Mr. Howell presented a remonstrance of James Hall and others, against the petition of Moses Mathews, asking an act to authorize him to build a mill dam across Little Pigeon creek;

Which was read and referred to the same committee to which was referred the petition of the said Moses Mathews.

Mr. Howell presented the petition of Butler Allensworth and Washington Allensworth, charged with murder praying a change of venue from the county of Spencer;

Which was read and referred to the committee on the judiciary.

Mr. Moore presented two petitions of citizens of Harrison county, severally praying that a part of said county be attached to the county of Floyd;

Which were read, when

Mr. Moore moved that the same be referred to a select committee.

Pending said motion,

Mr. Payne moved that they be laid on the table;

Which motion passed in the affirmative.

Mr. Culley from the committee on claims, to which was referred the communication of C. I. Battell, on that subject, reported the following resolution:

*Resolved*, That the committee of ways and means, be directed to allow John A. Brackenridge, in the specific appropriation bill, twenty dollars for his services in attending the Dubois county circuit court, as prosecuting attorney *pro tem.* at its terms in October, 1832;

Which was read and agreed to by the House.

Mr. Lane from the committee on roads to which was referred a petition of sundry citizens of Bartholomew and Decatur counties, on that subject, reported "a bill to establish a State road from Napoleon in Ripley county via Camden, Newbern and Columbus in Bartholomew county, to Bloomington in Monroe county;

Which was read the first time and passed to a second reading.



Mr. Lane from the committee on roads to which was referred a resolution on that subject, reported a bill to establish a State road, from Williamsport in Warren county via Lebanon and Chesapeake to the State line;

Which was read the first time and passed to a second reading.

Mr. Huntington from the committee on roads to which was referred a resolution of this House, on that subject, reported a bill to amend an act entitled "an act to prevent useless and expensive applications to the General Assembly relating to State roads;

Which was read the first time and passed to a second reading.

Mr. Huntington from the committee on roads to which was referred a resolution on that subject, reported a bill to establish a State road in Vigo county;

Which was read the first time and passed to a second reading.

On motion of Mr. Proffit,

*Resolved*, That the judiciary committee be requested to report to this House whether a repeal of the present interest law will in any wise effect the charters granted to the several insurance companies in this State, and whether these insurance companies can be restricted in the amount of interest they may think proper to demand on any monies loaned by said companies.

On motion of Mr. Sands,

*Resolved*, That a select committee be appointed to enquire into the expediency of building a bridge across the big Walnut Fork of Eel river, in Putnam county, on the State road leading in the direction of Rockville, in Park county and which connects with roads leading to Terre Haute in Vigo county, and Clinton in Vermillion county, and to report by bill or otherwise.

*Ordered*, That Messrs. Sands, Peyton and Pruitt be that committee.

On motion of Mr. Hanna,

*Resolved*, That the committee on the judiciary be instructed to make a report to this House declaratory of the power of the Legislature, to pass laws authorizing the building of mill dams or other obstructions in the channels of the navigable streams in the State of Indiana, referring particularly to those streams which may have been meandered by the surveyor of the United States and noted on their plats of surveys as navigable streams.

On motion of Mr. Mitchell,

The resolution moved by him and laid on the table on the 4th inst. on the subject of the constitutionality of a law authorizing the building a bridge across the Ohio river at the falls," was taken up;

Mr. Mitchell moved to amend said resolution so as to refer the enquiry therein directed to the committee on the judiciary instead of a select committee;

Which motion passed in the affirmative.

Mr. Payne moved further to amend the same, by striking out the word "constitutionality," and inserting in lieu thereof the words "expediency of repealing."

Which motion was decided in the negative.

And on the question to adopt said resolution,

It was decided in the negative.

Mr. Daniel moved the following resolution:

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of so amending the present law, on executions, as to exempt from execution, one horse and plough to the farmer, to the scholar the books of his profession, to the mechanic the necessary tools of his craft, and the physician, the medicines and drugs necessary for his practice, and that imprisonment for debt be abolished.

Mr. Hanna moved to strike out all of said resolution after the word "farmer;"

Which motion was decided in the negative.

Mr. Huntington moved to strike out all of said resolution, except so much thereof as relates to the abolition of imprisonment for debt.

Mr. Roop moved to amend said amendment so as to exempt one additional bed and necessary bedding from execution, in favor of persons having families.

Before the question was put thereon, it was

On motion of Mr. Howell,

*Ordered*, That said resolution and proposed amendments be laid on the table.

On motion of Mr. Cox,

*Resolved*, That the committee on roads be instructed to enquire into the expediency of laying out a State road, from Martinsville in the county of Morgan to Stilesville in the county of Hendricks via Cox's mills and Solomon Dunagan's farm, with leave to report by bill or otherwise.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate has passed an engrossed memorial and joint resolution, soliciting aid to improve the great western thoroughfare leading from Louisville to St. Louis via Paoli, Mount Pleasant, Washington and Vincennes, in which the concurrence of the House of Representatives is requested.

The said memorial and joint resolution was read the first time and passed to a second reading.

On motion of Mr. Stanford,

*Resolved*, That the judiciary committee be instructed to enquire into the propriety of so amending the law regulating crime and punishment, that whenever hereafter, any person shall be by judgment of any circuit court in this State, fined and taxed with costs, or either of them, and the defendant sentenced to jail, till said fine and costs, or either of them, be paid or replevied, and such defendant be unable to pay such fine and costs or replevy the same; that the board doing county business upon satisfactory evidence of that fact, may release such defendant from prison.

Mr. Wallace having obtained leave, presented "a memorial to the Congress of the United States on the subject of pre-emption rights;"

Which was read the first time and passed to a second reading.

Mr. Hamilton after having obtained leave, presented "a bill authorizing John Newby of Jackson county, to expend certain monies appropriated out of the three per cent. fund, on the Madison and Brownstown State road;

Which was read the first time and passed to a second reading.

Mr. Culley after having obtained leave, presented a bill to extend the privileges granted to the Harrison and White Water bridge company;

Which was read the first time and passed to a second reading.

Mr. Parker after having obtained leave, presented a bill to amend an act entitled "an act to prohibit the circulation of bank notes of a less denomination than five dollars;"

Which was read the first time and passed to a second reading.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House met pursuant to adjournment;

On motion of Mr. Sands,

Mr. Osborn was added to the select committee appointed to enquire into the expediency of building a bridge across the Big Walnut Fork of Eel river.

On motion of Mr. Cravens,

Mr. Slaughter was appointed upon the committee on Congress-

sional districts in place of Mr. Lynd, who is unable to serve in consequence of indisposition.

The House then proceeded to consider the order of the day, and

Resumed the consideration of the joint resolution relative to the public lands, depending when the House adjourned yesterday evening.

The question being put on the motion of Mr. Palmer to commit the same to the select committee to which was referred so much of the Governor's message as relates to the public lands, with instructions to report thereon, on or before Monday next,

And the ayes and noes being requested thereon, by two members:

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Bradbury, Clark, Cox, Cristler, Crume, Culley, Davis of Sh., English, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hargrove, Henley, Heustis, Howell, Lane, Lowe, M'Junkin, Mitchell, Osborn, Palmer, Parker, Parks, Pruitt, Schoonover, Slaughter, Steele, Wallace, Wooden, and Davis, Speaker—34.

*And those who voted in the negative are,*

Messrs. Bonner, Bradley, Bryant, Buell, Carter of M. & C., Claypool, Cravens, Crawford, Daniel, Davenport, Dunn, Edwards, Hanna, Huntington, Levenworth, Lewis, Livingston, Mastin, M'Nary, Moore, Payne, Peyton, Proffit, Rariden, Reid, Ribble, Reop, Ruddick, Sands, Shortridge, Skeene, Smith, Stanford, Vawter, Watt, Wilson, and Woodruff—37.

And so said motion was decided in the negative.

The question recurred on the amendment moved to said joint resolution by Mr. Mitchell, viz: by striking out all after the resolving clause, except what relates to a reduction of the price of public lands; and,

After discussion, and before a decision was had thereon,

The House adjourned until to-morrow morning at 9 o'clock.



THURSDAY MORNING, DEC. 13th, 1832.

The House met pursuant to adjournment.

The Speaker laid before the House the following communication from the Governor:

EXECUTIVE DEPARTMENT, }  
Indianapolis, Dec. 12th, 1832. }

To the Hon. John W. Davis,

*Speaker of the House of Representatives:*

Through the chair of the House of Representatives, I lay before the Legislature the following communications to this Department, to wit:

A joint resolution of the Legislature of the State of Tennessee, recommending the sale and distribution of the proceeds of the Public Lands among the States.

A joint resolution from the same State, relating to the exercise of certain powers by the General Government.

A report and joint resolution of the Legislature of Massachusetts, relating to the contested North Eastern boundary line of the United States.

A joint resolution of the Legislature of Louisiana, on the subject of a Rail Road from the Mississippi to the city of Washington—and

The letter of Wm. C. Linton, Fund Commissioner, in answer to one addressed the Commissioners whilst in New-York, on the subject of a loan for the bridge at the Falls of the Ohio river.

The first document named in said communication was read, and referred to the same select committee to which was referred so much of the Governor's Message as relates to the Public Lands.

The second document named in said communication was read, and referred to a select committee of Messrs. Mitchell, Livingston and Finch.

The report and joint resolution of the Legislature of Massachusetts, named in said message, was read, when

Mr. Proffit moved that it be referred to the Committee on the Judiciary, with instructions to report a joint resolution responding to the sentiments of that State, as to the injustice of the arbitration of the settlement of the boundary line of the State of Maine.

And also, a joint resolution instructing our Senators and requesting our representatives, in Congress, to oppose any relinquishment of a portion of these United States to the Crown of Great Britain.

Mr. Palmer moved to lay said document and motion to refer, on the table;

Which was decided in the negative.

Mr. Henley moved to amend the said motion for reference, by striking out said instructions;

And the question being put on such amendment,

It passed in the affirmative.

And on the question to refer said document to the Judiciary Committee,

It was carried in the affirmative.

The joint resolution of the Legislature of Louisiana, and the letter of William C. Linton, Canal Fund Commissioner, named in said communication, were read, and referred to the Committee on Canals and Internal Improvements.

Mr. Moore presented a communication from John Cook Bennet, general agent and bishop of the "Christian Church," upon the subject of the location of the Christian University College, with an accompanying document;

Which were read and referred to the Committee on Education.

Mr. Mastin presented a petition of W. G. Conduitt and others, praying a change in part of the State road leading from Mooresville, via Danville, to Crawfordsville;

Which was read, and referred to the Committee on Roads.

Mr. Schoonover, from the Committee on Claims, to which was referred the petition of Charles I. Battell, relative to services rendered the State,

Reported the following resolution:

*Resolved*, That the Committee of Ways and Means be instructed to allow to Charles I. Battell, in the specific appropriation bill, the sum of thirty-four dollars and thirteen cents;

Which was read, and agreed to by the House.

Mr. Sands, from the Committee on Roads, to which was referred a resolution on the subject, reported a bill to locate a State road from Green Castle, in Putnam county, to Carlisle, in Sullivan county, by the way of Manhattan in Putnam county, and Bowlinggreen and New Brunswick, in Clay county;

Which was read the first time, and passed to a second reading.

Mr. Vawter, from the select committee, to which was referred a resolution on that subject, reported a bill appropriating a part of the Three per Cent. Fund, and for other purposes;

Which was read the first time, and passed to a second reading.

Mr. Ruddick, from the select committee, to which was referred the petition of John F. Jones and others, on that subject, reported a bill for the relief of John F. Jones, Collector of Bartholomew county;

Which was read the first time, and passed to a second reading.

Mr. McNary, from the select committee, to which was referred a resolution in that behalf, reported a memorial on the subject of the Cumberland Road;

Which was twice read (the rules of the House having first been dispensed with)—when

Mr. Rariden moved to amend the said memorial (which memorial asked of Congress, at its present session, a further appropriation of \$150,000, for the construction of the National Road through Indiana,) by adding thereto the following:

“They would further represent, that the Executive Government of the United States, in the opinion of your Memorialists, might save to the Government vast expenditures, and confer a permanent benefit upon posterity, by detailing an experienced Engineer from the Engineer Corps, to superintend the letting and construction of said road.

“Your Memorialists, therefore, respectfully solicit the early attention of Congress and the Executive Government of the United States to this subject.”

Mr. Huntington moved that said memorial and proposed amendment be laid on the table;

And the ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Bradley, Carter of M. & C. Cox, Cristler, Daniel, Davis of S. English, Ferguson, of U., Finch, Fowler, Goodbar, Hamilton, Hargrove, Henley, Heustis, Huntington, Lane, Mastin, M'Junkin, Palmer, Parker, Parks, Sands, Schoonover, Slaughter, Wallace, Wilson and Davis, Sp'k—29.

*And those who voted in the negative are,*

• Messrs. Bell, Bonner, Bradbury, Bryant, Buell, Carter of O. Clark, Claypool, Cravens, Crawford, Crume, Culley, Davenport, Dunn, Edwards, Ferguson of C., Hanna, Howell, Levenworth, Lewis, Livingston, Lowe, M'Nary, Mitchell, Moore, Osborn,



Payne, Peyton, Proffit. Pruett, Rariden, Reid, Ribble, Roop, Ruddick, Shortridge, Skeen, Smith, Stanford, Steele, Vawter, Watt and Woodruff—43.

And so said motion was decided in the negative.

The question then recurring on the amendment proposed by Mr. Rariden,

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Bradbury, Bryant, Buell, Carter of M & C., Carter of O. Clark, Claypool, Cravens, Davenport, Dunn, Edwards, Ferguson, of C. Hanna, Huntington, Levenworth, Lewis, Livingston, M'Junkin, Mitchell, Osborn, Payne, Peyton, Rariden, Reid, Ribble, Roop, Ruddick, Shortridge, Skeen, Smith, Stanford, Steele and Vawter—35.

*And those who voted in the negative are,*

Messrs. Boyd, Bradley, Cox, Crawford, Cristler, Crume, Culley, Daniel, Davis of S., English, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hargrove, Henley, Heustis, Howell, Lane, Mastin, M'Nary, Moore, Palmer, Parker, Parks, Proffit, Pruett, Sands, Schoonover, Slaughter, Wallace, Watt, Wilson, Woodruff and Davis, Speaker—37.

So said motion to amend was decided in the negative,

And before any further question was taken on said memorial,

The House adjourned until to-morrow morning at 9 o'clock.

FRIDAY, DECEMBER 14, 1832.

The House met pursuant to adjournment.

The Speaker laid before the House the following report of David Burr, Jordan Vigus and Samuel Lewis, the Board of Commissioners, on the Wabash and Erie Canal;

Which was read and referred to the committee on canals and internal improvements.



*To the General Assembly of the State of Indiana:*

In the discharge of their duties as prescribed by law, the board of Canal Commissioners, have the honor to report, that on the 22d day of February last, a commencement of the Wabash and Erie Canal was made; and a contract concluded with William Rockhill, on the first of March following, for the construction of section No. 1, of the middle division.

Fifteen miles were let in June, and four miles including the dam across the St. Joseph's River, in the early part of November last. The contracts have been made with competent men, and taken for about the sum of five thousand dollars less than the estimate made for the same works, by Mr. Ridgway, the principal Engineer, and reported to the General Assembly, in 1830. The sections let in March and June, are to be completed by the 4th of July, 1834; and those in November, which embrace heavier works, by the 10th of October, the same year.

The amount of labour done on these contracts, has been considerable, as will be seen by reference to the abstract of Mr. Williams, the Engineer, marked (A.) and herewith submitted. Those let in June, were to have been commenced by the first of August, and part were, but between the letting and that time, the cholera commenced its ravages along the Lakes, and at Detroit, and as there is considerable intercourse between these places and Fort Wayne, fears were apprehended, that if a large force of men were collected in the summer months, the ordinary sickness consequent on their exposed situations, would be mistaken for the pestilence, disperse the hands, and be productive of injury to the service. The greater number of the Contractors also lived out of the State, and the time necessarily taken in returning to their homes, and then removing with their families to the vicinity of their work, and afterwards making the necessary buildings for their hands, procuring materials &c., consumed so great a portion of the season, that it left but little inducement to labourers, to come from a distance and engage for the short time which would elapse before the cold weather would set in, and prevent their employ. These contracts are for light work, and with the preparatory arrangements now made, can easily be finished within the time specified for their completion.

It affords great pleasure in being able to state, that the alarm on the account of sickness, was groundless, and that the hands on the line, as well as the inhabitants in that section of country have been unusually healthy, during the past season, and enjoyed almost an entire exemption from disease of every kind.

An engagement was made with Jesse L. Williams, esq. of Ohio, on the 18th of June last, to take charge of the superintendence of the Canal, in Indiana, as principal Engineer, for a salary of \$1,800 per annum, his engagements to last three years,

and be continued as much longer as the service may require for the same compensation. Since his acceptance of the employment he has been actively engaged in the duties he has undertaken, and from the practical knowledge he has had in the construction of the Ohio Canals, the creditable manner in which the important and extensive works were completed, which had been under his superintendence, with his character for sound judgment and business habits, affords the best assurance, that his acceptance of the engagement, will be a valuable acquisition to the State.

In the small progress made, it is found that the detention of one half of the pay for work done, operates with some severity on the contractors, and it is believed, may be lessened in rate, without diminishing the necessary security for the State. The sections let, when completed, will cost from \$1,500, to \$14,000, each, and when so large a portion as one half is retained, it prevents industrious individuals, who may be without capital, from becoming contractors, and limits competition to the wealthy; much expense is necessarily incurred, in the commencement of a job, in building cabins for hands, procuring provisions, cost of tools &c., for which no pay can be derived, except from the profits on the work. These expenses are so considerable, that they form, of themselves, a tolerable security against the abandonment of contracts, unless taken at such low rates as to prove very unprofitable. At every stage of the work, the labour and materials have to be paid for, in cash, and when the jobs are nearly finished, large sums will be due; much greater than the amount necessary to complete them. In such cases 5 or \$6,000 might be due from the State, and the Contractor unable to procure money, to pay hands, be compelled to abandon the contract and lose what had been expended, when, if the half or third part of what was due had been paid, would have completed it at a profit. To withhold too large a portion of the pay of a Contractor, produces the opposite effect from that which it was intended to guard, and has a tendency to compel the abandonment of contracts, for the want of means to carry them on. A contract re-let, would be taken at a higher rate, which would influence the prices at other lettings, and produce a prejudicial effect. The true policy it is believed, would be to sustain the Contractor, by allowing as large a portion of his pay, as safety to the State, would permit. Money at this time commands a high rate of interest, and when advanced by an individual to carry on a public work, must greatly influence the prices for which they are undertaken. The discretion to pay within fifteen per cent. of the value of the labour actually performed, is respectfully suggested, as an amendment to the present law.

Thirteen miles of the Canal line on the middle division remain to be let, which were calculated to cost \$89,000 exclusive

of the estimate of \$24,000 to cover the contingent expenses of the whole division.

The portion now under contract, when completed, will cost about \$117,000 which is near the sum received and accruing from the sales of the Canal lands, so that under the present provisions of the law, the remainder of this division, as it is too small to divide with advantage in letting, cannot be put under contract until sales shall be made, of the lands, to an amount which will be equal to the cost of constructing it. Two years time will be required to complete this part of the line, after it shall have been let—and it would be very desirable to have this done in May next, so that the connexion between the St. Josephs and Wabash rivers might be opened by the 10th of October, 1834, and the whole division finished at the same time. It would save nearly the cost of one year's expense of the Engineer department, and have a beneficial effect on the sales of the lands. The Canal funds, at the disposal of the State, are \$104,000, which will be increased in March next, by \$50,000 of the loan negotiated by the Fund Commissioners, as appears by their report. This, with the cash which will arise from the sales, will be sufficient to carry on the operations of the whole division, for eighteen months to come, in which time, it may be safely estimated, that the sales of the Canal lands, will amount to a sufficient sum, to meet the whole cost of constructing this division of the Canal line. The propriety, therefore, of giving the necessary authority, to have this portion put under contract in the month of May next, is respectfully suggested.

During the last summer, the Canal lands were classed and rated agreeably to the provisions of the law, and tract books and maps exhibiting the classification of the land, and the rateable value of each tract, were made and deposited in the clerk's office, in the counties where the lands lie.

A public sale was held, in the first week of October, at Fort Wayne, at which, all the lands were offered to the highest bidder, and as soon as the sale closed, an office was opened, for the purchase of the lands at private entry, at the same place, under the superintendence of Samuel Lewis, who has charge of that department, by a resolution of the board.

From the first of October, to the 21st of November, there has been sold, including public and private sales, 15,758.87 acres, for the sum of \$47,961.33 on which was paid \$13,152.99 and \$2,088.56 for interest one year, in advance, on \$34,808.34, which is the residue of the purchase money, payable to the State, the sale being at an average price of near \$3.05 per acre.

The receipts and payments of the board, since the last annual report have been—



## RECEIPTS.

By cash reported in D. Burr's hands, Dec. 17th, 1831	\$219 87	
By cash reported in S. Lewis' hands, Dec. 17th, 1831	118 51	
	<hr/>	\$338 38
By amount of lands sold in 1832 and interest thereon	-	15,241 55
By cash on account of interest on lands sold in 1830		2,566 22
By cash for payments in full		1,049 71
" from Comr's of Canal Fund		3,871 35
		<hr/>
		\$23,067 22

## PAYMENTS.

To cash for pay of hands, stationary, classing lands, clerk hire at sale of lands, &c.	\$954 09	
To cash for pay to canal contractors,	2,094 00	
To cash for salary to Engineer,	810 00	
To cash for salary to D. Burr,	564 00	
To cash for salary to Samuel Lewis,	584 00	
To cash for salary to J. Vigus,	414 00	
	<hr/>	5,420 09
To cash paid Comr's of Canal Fund		17,647 13
		<hr/>
		23,067 22

Which is respectfully submitted,

D. BURR,	} Com'rs of the
J. VIGUS,	
SAML. LEWIS,	
	W. & E. Canal.

Indianapolis, Dec. 13th, 1832.



Abstract, shewing the progress which has been made in the construction of each section of the Wabash and Erie Canal under contract, together with the estimated value of labor performed, up to 22d November, 1832.

Contractors names.		Cubic yards. Excav. done.	Cubic yards. Embk. done.	Estimated value of work done.
Length in chains.				
(A)				
ST. JOSEPHS FEEDER.				
Dan.	Armitage and Creswell	not commenced		
2 38	Thompson, Brown & Brownell	not commenced		\$ 65 00
3 39	Gerard & Daniels,	grubbing and clearing performed in part		
4 42	William Wilson,	grubbing and clearing begun, no estimate made		
5 39	do.	grubbing and clearing partly done		48 00
6 42	do.	not commenced		
7 39	Suttonfield and M'Gillieuddy	grubbing and clearing half done, no estimate made		
8 30	David Archer,	grubbing and clearing nearly finished		161 00
9 39	M. S. Wines & brothers	not commenced		
10 51	Ward & Hanna	not commenced } St. Josephs bluff.		
11 39	Henry Rudisill	grubbing & clearing nearly done, some materials [prepared		230 00
12 57	Gerard & Daniels	two thirds of the labour performed	6,290	1,382 00
13 57	Edward Rockhill	grubbing and clearing half done	5,160	100 00
MAIN LINE.				
1 39	William Rockhill	commenced but no estimate made		
2 42	William Rockhill	not commenced		

3	39	William Burk	grubbing and clearing nearly finished		175 00
4	39	do.	grubbing and clearing nearly done		180 00
5	39	do.	grubbing and clearing nearly done		181 00
6	42	Hunt, Bayless & Sumner	" and clearing nearly done, exca. commenced	730	399 00
7	39	do.	grubbing and clearing performed in part	500	130 00
8	39	William N. Hood	commenced, no estimate made		
9	81	Jacob Barcus	grubbing and clearing partly done,		132 00
10	39	do.	grubbing and clearing completed		140 00
11	42	do.	grubbing and clearing done, exca. commenced	40	241 00
12	39	do.	grub. and clearing nearly done, exca. commenced	270	136 00
13	39	Bayless & Burk	grub. and clearing nearly done, exca. commenced	550	203 00
14	42	do.	grubbing and clearing performed in part		215 00
15	39	do.	not commenced		
16	39	do.	not commenced		
17	40	Murray & Vermilya	not commenced		
18	39	do.	not commenced		
19	42	do.	not commenced		
20	39	do.	grubbing and clearing begun, no estimate made		
21	39	Coady & Murphey	grubbing and clearing partly done,		70 00
22	39	do.	commenced, no estimate made		
23	42	Jonathan Peacock, & Co.	not commenced		
24	39	M'Makea & Cook	not commenced		
25	39	do.	commenced, no estimate made		
<hr/>					
				8,780	5,660 4,188 00

Fort Wayne, Nov. 22, 1832.

J. L. WILLIAMS, Principal Engineer.

*Ordered*, That five hundred copies of said report be printed for the use of the members of this House.

The Speaker laid before the House the following communication from the Adjutant General, made in pursuance of the statute, and in compliance with a resolution of the House, which was read and referred to the committee on military affairs, viz:

“ADJUTANT GENERAL’S OFFICE,  
Indianapolis, December 12, 1832. } ”

In obedience to an act entitled “an act to regulate the militia of the State of Indiana,” whereby it is made the duty of the Adjutant General, to lay before each branch of the Legislature annual returns of the strength of the militia thereof and the amount of “arms, accoutrements and ammunition” belonging thereto, the Adjutant General respectfully submits the accompanying return.

As the official return includes but a portion of the strength of the militia, the Adjutant General submits the following estimate, approaching, as he thinks, very near to the real strength of the militia of the State:

The amount of Officers and privates, as per official return is	26,393
There are 26 regiments which are not included in the official return, comprising 224 companies, which, allowing 65 men to each company and three field officers to each regiment, will amount to	14,638
To which add, on account of five new counties, which were not organized time enough to be returned	2,000
It makes the whole amount of men subject to military duty	42,031

Respectfully  
JACOB LANDIS, Adj’t Gen.”

Which communication was accompanied by an abstract of the annual return of the militia of this State, and of the arms, accoutrements and ammunition for the year 1832.

Mr. English presented a written statement of John Trulock, late collector of Scott county, shewing an over payment of revenue by him, accompanied by a certificate from the Auditor;

Which were read and referred to the committee on claims.

Mr. Osborn from the committee on roads to which was referred the petition of William Ayres and others, on that subject, re-

ported a bill changing the direction of a road, from Judge Lowry's farm to Paris in Illinois:

Which was read the first time and passed to a second reading.

Ms. Lane from the select committee to which was referred, so much of His Excellency the Governor's message, as relates to Public Lands, and a resolution of the House, on the same subject, made the following report, viz:

The committee to which was referred that portion of the Governor's message in relation to the Public Lands, have taken the same under consideration, and after giving it that attention its importance, and the high authority from which it emanated would seem to demand, are of opinion, that the principles recommended by his excellency, if adopted, would be destructive of the best interests, and check the growing prosperity of the State.

The subject referred is the expediency of instructing our Senators and requesting our Representatives in Congress to use their influence in the passage of a law, in its provisions similar to the one reported by a distinguished Senator and passed that body the last session of Congress, providing for the sale of the Public Lands, without reduction of price, and that the monies arising from such sales, for five years, be divided among the several states in proportion to their Federal representative population, after deducting twelve percent. of the proceeds for the States in which the lands lie.

The committee differing in opinion with his Excellency, and the Senator of the United States, deem it due to themselves, the authority and the subject, respectfully to submit a few of the reasons which influence that opinion.

To some, it may be deemed presumption, to call in question so high authority. To those the committee will say, there are seasons when the opinions and acts of great men are entitled to the most profound respect; others, when the soundness of their judgments, and the purity of their motives, may, without vanity, be doubted by the humblest citizen.

Neither the time, the situation of those individuals, or the circumstances by which they were surrounded at the time the Bill was reported and passed that highly honorable body, are considered by the committee as propitious for the exercise of a pure and patriotic motive or a sound and impartial judgment.

The committee would inquire what claim, in equity, either of the several States can have to any portion of the Public Lands, north-west of the Ohio? Originally no such claim existed. Each State owned the lands within its territorial limits, and disposed of them at pleasure.

Virginia owned all the lands north-west of the Ohio, to which the committee will confine their inquiries. These lands, as also the right of territory, she granted to the General Government for a specific purpose,—the payment of the debt of the Revolution.



This territory or district of land was to be formed into a certain number of States upon certain conditions.

In this grant, Virginia parted with all right of territory and soil, and gave no right to any individual State, nor has the General Government ever vested in any state, the right of soil or territory, any portion of this grant, except those formed therein. From the grant, it would seem the General Government had but a limited right, for a specific purpose, to sell the land, to pay the debt and organize the territories and admit them as States into the Union, upon an equal footing with the old States. This done, and the debt paid, the right of sovereignty over the territorial limits of the State, was absolute, and to the soil equitable—the power and right of the Government having ended.

Be this however as it may, upon no principle can any other State claim or urge any such right. Upon what principle of right or justice can any State claim either a portion of the land, or of the proceeds of the sales of land sold within the limits of Indiana? To grant for a moment that Congress have the right to vest in any other State a portion of her territorial limits, or the land within it, would be to surrender her equitable claim to the same as an independent State.

The committee is unable to perceive the difference, between vesting in the several States the right to a portion of the proceeds of the lands sold, or to grant to such State, the right to the same portion of the land itself within the State. The same right that will authorize Congress to grant to the several States an equal portion of the proceeds of the public lands, reserving to the new States 12½ per cent., can grant the same without any such restriction.

It is also believed, that the same right, if conceded, would authorize Congress to grant to the several States, as tenants in common, all the public land in the new States.

This would exhibit to the world the novel spectacle of twenty-four independent States, holding the land within a single State as tenants in common. The one would make partition, the other not. The one would survey, the other not. The one would sue, the other not. Against such a state of things and such a principle, it is believed every citizen of Indiana, would raise his voice. Yet it is believed, to admit the right urged in his Excellency's message, it would be a concession on the part of the State, that Congress had not only the power, but the right to grant the land or the proceeds at pleasure, and expose the citizens to all the evils incident to the exercise of it.

Should it be admitted, that Congress would never press the power, or the right beyond the principle contained in his Excellency's message, the committee are of opinion it would be sufficiently frightful in its consequences upon the prospects of the State, to deter every patriot in the State from a participation in so dangerous a measure.

The moment each individual State, shall have a right to a portion of the proceeds of the public lands, sold in the new States, the citizens of such State will feel an interest in the land itself, and consider it as their own—and a corresponding feeling will exist in each State; the consequence of which will be, a course of legislation will be adopted, that will enable them to realize the greatest possible sum of money as a source of revenue. To effect this would be to raise, instead of reduce the price of public lands, and in order to force the sales, would be to stop any further surveys of the public lands, and bring no new lands into market. This course would not only enable them to sell the land now in market at any price, but would produce such competition in the market, when they should bring a new district into the market, to sell at high prices. This would retard the sales of public lands, check emigration, and blast the bright and glittering prospect, the cheering hope that the day was not far distant, when Indiana, should vie with her sister States, in population, agriculture, commerce, science, and the arts.

His Excellency, in his message, says: "but for our members in Congress voting with the enemies of this measure, the State would have had nearly 200,000 dollars."

The committee will not pause to notice so trifling a circumstance as the difference between \$200,000, and \$147,000. But will remark, it is not money Indiana wants. It is human souls, filled with patriotism—endeavoring to excel each other, in agriculture, commerce, virtue, religion, in the arts and sciences.

Money in the hands of the Government, or that of a State, beyond its immediate demands, leads to extravagance and ends in folly and corruption.

The wealth of a State depends upon the improvements of the country, and the wealth and independence of its citizens. Its strength and its security, upon their number, their virtue and their intelligence.

The committee will readily agree with his Excellency, and enter into all his views upon the subject of his message. when the immediate use of money, shall be preferred by the patriot and statesman, to the blessings of civil and religious liberty. When a scattered population shall produce a greater sum of human happiness, than a dense, virtuous and enlightened community. When the forest shall be preferred to cultivated fields. When twenty-three masters shall be preferable to one. Then, and not till then, will the committee subscribe to the policy recommended.

The committee would recommend the adoption of such measures as insure a continuance of the favors of the General Government in the appropriation of money, from the treasury, for purposes of roads and improving the navigation of our rivers, and further donations of public lands for the completion of the Michigan road and the Wabash canal, which has hitherto mark-

ed her Legislature, and characterized the liberality of the General Government towards us, and under which as a State, we have increased in population and in wealth, beyond any former example.

Which report was accompanied by a joint resolution of the General Assembly of the State of Indiana, on the subject of the public lands.

Mr. Proffit moved that one thousand copies of said report, be printed for the use of the members of this House.

Mr. Cravens moved to lay said report on the table;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Bradbury, Bryant, Buell, Carter of M. & C., Claypool, Cravens, Davenport, Dunn, Edwards, Ferguson of C., Hanna, Huntington, Levenworth, Lewis, Livingston, M'Junkin, Moore, Payne, Proffit, Rariden, Reid, Ribble, Roop, Ruddick, Shortridge, Skeen, Smith, Stanford, Steele, Vawter, and Wilson—33.

*And those who voted in the negative are,*

Messrs. Boyd, Bradley, Carter of O., Clark, Cox, Crawford, Cristler, Crume, Culley, Davis of Sh'y, English, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hannegan, Hargrove, Henley, Heustis, Howell, Lane, Lowe, M'Nary, Mitchell, Osborn, Palmer, Parker, Parks, Peyton, Pruett, Sands, Schoonover, Slaughter, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—39.

So said motion was decided in the negative.

The question being then put on the motion of Mr. Proffit to print 1000 copies of said report,

It passed in the affirmative.

The said joint resolution was read the first time, and passed to a second reading.

On motion of Mr. Vawter,

Ordered, That 1000 copies thereof be printed for the use of the members of this House.

Mr. Sands moved the following resolution:

Resolved, That the committee of ways and means be instructed to enquire into the expediency of so amending the revenue law as



to prevent the collector of county taxes from charging interest on County Orders, during the time the same may remain in his hands, and require such collector to note on said County Orders, the date on which they were by him received;

Which was read, and

On motion of Mr. Vawter,

*Ordered*, That said resolution do lie on the table.

On motion of Mr. Wallace,

*Resolved*, That a select committee be appointed to take into consideration the propriety of providing by law a more efficient mode of taking care of our paupers in the several counties in this State, and whether it would be good policy or not to provide by law for the erection of one asylum in each judicial circuit in this State, to report by bill or otherwise.

*Ordered*, That Messrs. Wallace, Moore and Sands, be that committee.

Mr. Carter of O. moved the following resolution:

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of so amending the act entitled, "an act regulating the jurisdiction and duties of justices of the peace," approved February 10th, 1831; that in all civil cases to be tried before justices of the peace where the sum is not over twenty dollars, at the request of either party, the justice before whom the case is to be tried, shall grant a jury of three or twelve men, at the election of the party calling for the jury; and in all civil cases where an appeal is taken from the judgment of a justice of the peace to the circuit court, the plaintiff shall be permitted to amend his statement in writing of the nature of his case, or declaration, both in substance and form, by paying or giving security for the payment of all the costs that have accrued on the case up to the time of such amendment, both before the justice of the peace and in the circuit court. Then the Court shall proceed to try the case on its merits, as though the case had been originally commenced in the circuit court, the court first giving the defendant both time and opportunity to amend his replication in both substance and form in all cases where the plaintiff has been permitted to amend his statement in writing or declaration.

Mr. Bryant moved to strike out from said resolution the word "substance" wherever it occurs;

Which motion was decided in the negative.

Mr. Steele moved to amend said resolution by adding thereto the following:

"That the litigant parties have the same right of challenge to jurors in all cases tried before justices of the peace, that they now have in courts of record within this state;"



Which motion passed in the affirmative.

Mr. Payne moved further to amend the same, by inserting therein after the first clause, the following:

“And in all such cases the opinion of two thirds of such jury shall be a verdict;”

Which motion was decided in the negative.

The question was then put;

Shall said resolution as amended be adopted?

And the ayes and noes being demanded by two members,

*Those who vote in the affirmative, are*

Messrs. Bonner, Boyd, Bradbury, Carter of O., Clark, Cox, Cravens, Crawford, Culley, Davenport, Davis of Sh. Edwards, English, Ferguson of C. Finch, Fowler, Goodbar, Hanna, Haunegau, Henley, Heustis, Huntington, Lane, Levenworth, Lewis, Livingston, Mastin, McJunkin, McNary, Mitchell, Moore, Osborn, Palmer, Parks, Payne, Peyton, Pruett, Rariden, Reid, Ribble, Roop, Ruddick, Sands, Schoonover, Shortridge, Slaughter, Smith, Stanford, Steele, Yawter, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—55.

*And those who voted in the negative, are*

Messrs. Bell, Bradley, Bryant, Buell, Carter of M. & C., Claypool, Cristler, Crume, Ferguson of U., Hargrove, Howell, Lowe, Proffit, Skeen and Wilson—15.

So said resolution was adopted.

And then the House adjourned until 2 o'clock, P. M.

*2 o'clock, P. M.*

The House met pursuant to adjournment.

Mr. Cristler moved the following resolution:

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of so amending the act entitled, “An act for the appointment of county surveyors and their deputies,” approved Feb. 4th, 1831, as to require the field notes of the lands in each county, to be deposited in the office of the county surveyor, instead of the recorder's office.

On motion of Stanford,

*Ordered*, That said resolution be laid on the table.

On motion of Mr. Pruett,

*Resolved*, That a select committee be appointed to enquire into

the justice and expediency of amending the 4th section of an act subjecting real and personal estate to execution, approved Feb. 4th, 1831, so as to proportion the property exempt from execution to the size of the family, with leave to report by bill or otherwise;

*Ordered*, That Messrs. Pruett, Wallace and Henley, be that committee.

On motion of Mr. Schoonover,

*Resolved*, That the committee on education be instructed to enquire into the expediency of providing by law for the sale of certain lands granted to the State of Indiana, commonly called Salt Lick Reserves; the right to sell which is vested in the Legislature of this State, by an act of Congress, approved July 3d, 1832, and the proceeds of the sales to be applied to the purposes of education; with leave to report by bill or otherwise.

Mr. McNary moved the following resolution:

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of so amending the execution law as to provide, that property sold under executions issuing upon judgments on which there may have been no stay or replevy, shall be sold upon a credit of the same length of time for which the judgment debtor might have stayed or replevied the same, under the provisions of the law on that subject;

Which was read, and

On motion of Mr. Wooden,

*Ordered*, That the same do lie on the table.

On motion of Mr. Howell,

*Resolved*. That the committee on roads be instructed to enquire into the expediency of changing that part of the road law authorizing the collectors of state and county revenue to collect a road tax, and substituting in place thereof, the supervisor of the roads; with leave to report by bill or otherwise.

On motion of Mr. Sands,

The resolution moved by him this day and laid on the table, on the subject of prohibiting collectors from charging interest on county orders,

Was taken up;

On the question to adopt the same,

It was carried in the affirmative.

Mr. Crawford, after having obtained leave, presented a joint resolution on the subject of rotation in office;

Which was read the first time; when

Mr. Stanford moved to reject the same—

And the ayes and noes being requested thereon, by two members:

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Bradbury, Carter of M. & C., Claypool, Cox, Cravens, Davis of Sh., Dunn, Edwards, Hamilton, Hargrove, Henley, Howell, Huntington, Levenworth, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Osborn, Parks, Payne, Peyton, Proffit, Pruett, Reid, Ribble, Roop, Sands, Shortridge, Skeen, Stanford, Wallace, Woodruff and Davis, Speaker—59.

*And those who voted in the negative are,*

Messrs. Boyd, Bradley, Buell, Clark, Crawford, Cristler, Crume, Culley, Davenport, English, Ferguson of C., Ferguson of U., Finch, Fowler, Hanna, Hannegan, Heustis, Lane, Livingston, Moore, Palmer, Rariden, Ruddick, Schoonover, Slaughter, Smith, Steele, Vawter, Watt, Wilson and Wooden—31.

So said joint resolution was rejected.

And then the House adjourned until to-morrow morning, at 9 o'clock.

## SATURDAY MORNING, DECEMBER 15, 1832.

The House met pursuant to adjournment.

Mr. Crawford presented a petition of Judah Leaming and others, citizens of Laporte county, praying the passage of a law authorizing the board of commissioners of said county, to levy a tax on non-resident lands, for road purposes;

Which was read and referred to the committee on the judiciary.

Mr. Hanna presented a petition of Peter Smith and others, people of Colour, residing in Indianapolis, praying a donation of lots No. 3 and 5, in square No. 30 in said town, for the purpose of erecting a church thereon, accompanied by a certificate of sundry citizens of said town of the good character of petitioners;

Which were read and referred to the committee on the affairs of the town of Indianapolis.

Mr. Palmer from the committee of ways and means, to which was referred the petition of James Langford and others, praying an appropriation, for the improvement of the navigation of Lit-

the Pigeon creek, reported that it is inexpedient to make any appropriation out of the State Treasury for that object;

Which was read and concurred in by the House.

Mr. Culley made the following report:

The committee on claims to which was referred the petition of William Warren, praying relief, report: that they have had the same under consideration, and sincerely lament the unfortunate accident that disabled him from pursuing the usual means of support; yet to grant him aid out of the treasury, would in the opinion of your committee, be establishing a bad precedent, and opening its doors to innumerable applications, similar in character, and addressed with equal justice to the sympathies and feelings of this House, your committee therefore deem it inexpedient to grant the prayer of the petitioner, and ask to be discharged from further consideration of the subject;

Which was read and concurred in by the House.

Mr. Lane from the committee on roads, to which was referred the petition of sundry citizens of Laporte county, and also a resolution of this House on that subject, reported a bill to locate a State road from where the Michigan road crosses Yellow river by the way of the county seat of Laporte county, to the mouth of Trail creek;

Which was read the first time and passed to a second reading.

Mr. Sands from the committee on roads to which was referred a resolution of this House on that subject, reported a bill to locate a State road from Martinsville in Morgan county by the way of Cox's mill and Solomon Dungan's in said county to Stilesville in the county of Hendricks;

Which was read the first time and passed to a second reading.

Mr. Lane from the committee on roads to which was referred the petition of sundry citizens of Laporte county, praying to have every section line in said county a public highway, reported that it is inexpedient to grant the prayer of the petitioners;

Which was read and concurred in by the House.

On motion of Mr. Cristler.

The resolution moved by him and laid on the table yesterday on the subject of recording field notes, was taken up, and

On motion of Mr. Cristler,

The said resolution was amended by making the reference to a "select committee" instead of the "judiciary committee;"

Said resolution as amended was then adopted.

Ordered, That Messrs. Cristler, Stanford and Bell be a committee in pursuance thereof.



Mr. Bryant after having obtained leave, presented a bill for the benefit of persons who are likely to suffer by the destruction of the records of Parke county;

Which was twice read, (the rules of the House having first been dispensed with) and,

On motion of Mr. Bryant,

Was amended in the 5th section by striking out the words "of record" after the word "court" in the latter clause thereof.

A motion was made by Mr. Steele, that said bill be committed to a committee of the whole House, for Monday next,

And decided in the negative.

It was then,

Ordered, That said bill be engrossed and read a third time on Monday next.

Mr. Davis of Sullivan, after having obtained leave, presented a bill to legalize the proceedings of the school commissioner of Sullivan county;

(Mr. Lane occupying the chair in place of the Speaker,)

Which bill was twice read (the rules of the House having first been dispensed with) when,

Mr. Rariden moved to amend the same by adding the following proviso, to the first section thereof:

"*Provided however*, That nothing herein contained, shall be construed, so as to legalize any collusion or mal-conduct of the commissioner or the purchasers in the sale and purchase of said land;"

Which motion passed in the affirmative.

It was then

Ordered, That said bill be engrossed and read a third time on Monday next.

Mr. Wooden, after having obtained leave, presented a bill to provide for the disposition of the surplus portion of three per cent. fund remaining unappropriated in the hands of any commissioner;

Which was read the first time and passed to a second reading. }

A message from the Senate by Mr. Morris their assistant secretary:

**MR. SPEAKER,**

The Senate has passed an engrossed bill entitled "an act to amend an act to appropriate part of the three per cent. fund, and for other purposes, approved, Feb. 10, 1832;

A joint resolution requesting the Governor of Indiana to com-

municate with the Governor of Ohio, relative to the extension of the Wabash and Erie canal; and,

A memorial and joint resolution of the General Assembly of the State of Indiana, soliciting Congress to appropriate land or money, sufficient to improve the navigation of the Wabash and White rivers.

In which bill and joint resolutions the concurrence of the House of Representatives is requested.

The engrossed bill and joint resolution last named in said message, were severally read the first time and passed to a second reading.

The joint resolution first named in said message was twice read (the rules of the House having first been dispensed with,) and committed to a committee of the whole House for Monday next.

Mr. Skeen, after having obtained leave, presented a bill for the better regulation of towns;

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day, And resumed the consideration of the memorial on the subject of the national road, depending at the adjournment on Thursday evening last;

And the question being put, it was

*Ordered*, That the same be engrossed and read a third time on Monday next.

The House resumed the consideration of the joint resolution relative to the public lands, undetermined when the House adjourned on Wednesday evening last.

Mr. Culley moved to postpone the further consideration of said joint resolution and of the amendment proposed thereto by Mr. Mitchell, and depending when the same was last under consideration, until Tuesday next.

Pending said question,

Mr Palmer moved to lay said joint resolution and proposed amendment on the table, and

Before a decision was had thereon,

The House adjourned until Monday morning at nine o'clock

MONDAY, DECEMBER 17th, 1832.

The House met pursuant to adjournment.

The Speaker laid before the House the following communication from William Polke, Commissioner on the Michigan road, and accompanying documents;

Which were read, and

On motion of Mr. Lane,

Referred to the same select committee to which was referred so much of the Governor's message as relates to that subject, viz:

(See appendix A.)

*Ordered*, That three hundred copies of said report and accompanying documents, be printed for the use of the members of this House.

The Speaker laid before the House a report of the Agent of State, for the Town of Indianapolis;

Which was read and referred to the committee on the affairs of the Town of Indianapolis; and is as follows:

“AGENTS’ OFFICE,}  
December 17, 1832.”}

In obedience to an act approved, Feb. 2, 1832, supplementary to an act “to authorize the Agent of State for the Town of Indianapolis, to lay off the land belonging to the State, into lots, and offer the same for sale,” the remainder of the Indianapolis donation belonging to the State, (except those lots which had been reserved by law for special purposes, and block 48,) was in May last valued by the commissioners, selected for that purpose, and offered for sale by the Agent, and disposed of except 40 in-lots, for \$14,596 75, one fourth of which has been paid, leaving a balance yet to be paid, of

	\$10,947 56
40 in-lots at their valuation	3,670 00
3d and 4th payments on lots sold, May 1831	10,484 00
Amount of Indianapolis fund in the Treasury	21,672 11

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\$46,773 67

Block 48, north of the State House Square, at the request of the commissioners, was reserved from sale, to await the determination of the Legislature, as to the propriety of adding it to the said square.

It is thought that the 40 remaining in lots, will, in the course of the ensuing year, all be disposed of at private sale.

The time for which the Ferry and Ferry house were leased will expire in March next. It will be a subject for the present Legislature, to determine the manner in which they shall be disposed of thereafter.

All of which is respectfully submitted,

E. SHARPE."

The Speaker laid before the House the following report of the Agent of the three per cent. fund;

Which was read and referred to the committee of ways and means. Said report is as follows:—



In obedience to an act approved January 22d, 1830, I make the following statement of Commissioners' reports.

No. of Road.	Names of Commissioners.	Drafts paid	Expended on Roads.	Commr's services.	Surveyor, chainmen & marker	Provisions expenses & postage	Balances in commr's hands	Balances due com's	Second board.
4	Anderson Cavett,	747 50	546 50	87 00	36 00	79 32		1 49	
7	Michael Buskirk,	628 00	478 10	88 00	58 30			2 00	
14	Gara Davis,	196 21	179 20	19 00					
27	George Ewing,	435 00	328 80	34 50	14 12	10 00	47 50		
33	Rezin Davis,	350 00	890 00	60 00					
35	Demas L. M'Farland,	490 00	296 70	94 25	54 35	8 70	36 00		
36	Morgan Shortridge,	481 26	458 00	22 00					
36	Zenas Beckwith,	240 60	224 10	16 50				1 26	
36	James Scott,	378 12	354 81	21 00					
37	George Piercey,	780 00	706 81	69 00			2 31		
38	Joseph Hill,	275 00	258 00	17 50			4 19		
40	Adam Shoemaker,	330 00	264 04	51 00			12 96		
44	John Denny,	1000 00	676 21	45 50	72 14		206 15		
46	Thomas Gillam,	200 00	88 12	28 00	47 75	17 30	18 83		
48	Thomas Granor,	1000 00	693 02	71 00	96 62	94 08	45 28		
49	Daniel Meaton,	800 00	86 00	47 00	97 93	69 44	498 63		
50	John M. Cullough,	500 00	337 00	34 00	74 00		19 00		

51	Meredith Gosney,	750 00	449 25	86 50	20 00	169 17	91 25
52	William M'Creery,	1500 00	853 62	100 00	140 38	236 82	
54	William Dickey, RIVERS.	100 00		24 00	26 00	6 19	43 81
1	Samuel Cobb,	300 00	182 75	46 00		46 25	25 00
2	Joseph Baugh,	200 00	119 75	35 00		43 25	2 00
4	John Hackleman,	200 00	146 75	25 85		25 40	2 00

William M'Creery is entitled to a credit of \$150 paid over to William A. Hood, (see acts 1832, page 80,) leaving a balance in his hands of \$86 82.

Andrew Cavett has a credit in the column for provisions, &c. of \$79 32, which was paid on account of damages and postage.

A part of the Commissioners have failed to comply with the law requiring them to return the bonds and receipts with their reports to this office.

Respectfully submitted,

**B. I BLYTHE,** Agent 3 per cent. Fund.

December 14th, 1832.

On motion of Mr. Vawter,

*Ordered*, That three hundred copies of said report be printed for the use of the members of this House.

Mr. Woodruff presented a petition of Job Gardner and others, citizens of Bartholomew and Johnson counties, praying a relocation of part of the Mauk's ferry State road, in Bartholomew and Johnson counties;

Which was read and referred to the committee on roads.

On motion of Mr. Bradbury,

Four several petitions presented by him, and laid on the table on the 7th inst. praying a removal of the Pension Office from Corydon to Indianapolis, were taken up, and referred to a select committee of Messrs. Bradbury, Payne and Bell.

Mr. Payne presented two remonstrances of sundry Pensioners against the same.

Which were read and referred to the same select committee.

On motion of Mr. Moore,

Messrs. Slaughter and Payne were added to the committee on the judiciary.

Mr. Rariden made the following report:

The committee on education to which was referred the memorial of sundry citizens of the county of Monroe, praying compensation for deficiencies of land purchased of the state in the College township, in Monroe county, have had the same under consideration, and directed me to report, that from the statement of the commissioner for the sale of those lands, they have ascertained that it was a part of the terms of the sale that the quantity of the land sold in each lot, was to be determined by the return of the surveyor to the General Land Office, and there being no imputation of fraud on the part of the commissioner, your committee therefore, however indisposed to countenance an act of injustice on the part of the state upon individual interests, cannot conceive but that legislative interference on this occasion, would be improper; and therefore, that the relief asked ought not to be granted:

Which was read, when

Mr. Parks moved that the report and documents accompanying the same, be recommitted to a select committee;

Which motion was decided in the negative.

The question being then put on concurring in said report,

It passed in the affirmative.

Mr. Wooden made the following report:

The committee on military affairs to which was referred so much of the governor's message as relates to a call of militia into actual service, report:

That they cannot withhold the expression of their entire approbation of the course pursued by the executive during the past summer, in calling out a portion of our militia for the protection of our north western frontier, from the irruptions of the hostile Indians. The alarm which prevailed among our citizens residing on our north western borders, demanded the military movements which was made. By that movement the Indian tribes within our own state, whose attitude for a time was considered doubtful, were awed into neutrality, and our exposed citizens assured of safety. Clothed with the power to call into service such a military force as any emergency may demand, the executive could not have done less than he did, without having manifested a carelessness for the safety and repose of our frontier, incompatible with the duties of his high station. The prompt and patriotic manner in which the call for troops was answered, is only another evidence of the strong reliance to be reposed in a citizen soldiery. This readiness on the part of our citizens to shoulder the rifle at the call of our executive, is a sufficient guarantee of our future safety from either savage or civilized foes. Entertaining these sentiments, your committee offer for adoption the following resolution:

*Resolved*, That this House approves of the call made by his excellency the governor, during the past summer, on a portion of the militia of this state, to march to the protection of the north western frontier from the incursions of the hostile Indians, and that the manner in which that call was met by our citizens, was alike creditable to them and to the character of Indiana.

The said resolution was read and agreed to by the House.

On motion of Mr. Davis of Sh.,

Mr. Hanna was added to the committee on military affairs.

Mr. Lane, from the committee on roads, to which was referred a resolution of this House on the subject of a repeal of part of the 60th section of the road law, reported a bill to amend an act entitled, "an act for opening and repairing public roads and highways,"

Which was read the first time, and passed to a second reading.

Mr. Lane from the same committee, to which was referred a resolution of the House, asking an enquiry into the expediency of changing that part of the road law authorizing the collectors of state and county revenue to collect a road tax, and substituting in place thereof supervisors of roads, reported that it is inexpedient to make said change;

Which was read and concurred in by the House.

Mr. Sands, from the committee on roads, to which was referred a resolution of this House on that subject, reported a bill to locate a state road from Martinsville, in Morgan county, to Edinburgh, in Johnson county;



Which was read the first time, and passed to a second reading.

Mr. Wilson from the committee on canals and internal improvements, to which was referred so much of the governor's message as relates to the adjustment of terms with the state of Ohio for the construction of that part of the Wabash and Erie canal, which is contemplated to pass through a part of that state, reported a joint resolution relative to the Wabash and Erie canal;

Which was twice read, (the rules of the House having first been dispensed with,) and

*Ordered*, to be engrossed, and read a third time on to-morrow.

Mr. Wilson, from the same committee, made the following report:

MR. SPEAKER,

The committee on canals and internal improvements have had under consideration his Excellency's communication, on the subject of contracting a loan for building a bridge across the Ohio river at the Falls, by a corporated company, agreeably to an act of incorporation of the legislature at its last session; also a letter of William C. Linton to his Excellency on that subject—and have directed me to report that, in their opinion, it would be inexpedient to legislate on that subject at the present session, and ask to be discharged from its further consideration.

*Ordered*, that said committee be discharged accordingly.

Mr. Huntington, from the same committee to which were referred several documents on that subject, communicated to the House by the Governor, reported a joint resolution on the subject of a rail road from the Mississippi river to the city of Washington;

Which was read the first time, and passed to a second reading.

Mr. Steele, from the select committee to which were referred the petition of George Henerix and accompanying documents, reported the following resolution:

*Resolved*, That George Henerix be allowed, by the committee of ways and means, in the specific appropriation bill, the sum of fifteen dollars, to be paid out of the Indianapolis fund;

Which was read and adopted.

Mr. Cravens, from the select committee to which was referred a resolution of the House on that subject, reported on behalf of a majority of said committee, a bill dividing the state into congressional districts, and providing for the election of representatives in Congress;

Which was twice read (the rules of the House having first been dispensed with,) and

On motion of Mr. Sands,

Referred to a select committee of one member from each judicial circuit;

*Ordered*, That Messrs. Sands, Hannegan, Henley, Culley, Howell, Ruddick, and Stanford, be that committee.

On motion of Mr. Hannegan,

*Resolved*, That the agent of the three per cent. fund be required to make out and report to this House, a full statement of the amount of said fund already appropriated, together with the several sums paid to the various counties throughout the state.

On motion of Mr. Henley,

*Resolved*, That a select committee be appointed to enquire into the expediency of altering the dividing line between the counties of Jefferson and Clark.

*Ordered*, That Messrs. Henley, Cravens, and Woodruff, be that committee.

On motion of Mr. Buell,

*Resolved*, That a committee of seven persons be appointed to enquire into the expediency of passing a law more permanently establishing the county line between the counties of Vermillion and Warren, and report by bill or otherwise.

*Ordered*, That Messrs. Buell, Osborn, Crume, Peyton, Dunn, Parker and Reid, be that committee.

On motion of Mr. Davis, of Sh.

*Resolved*, That the select committee on the Michigan road be instructed to enquire into the expediency of making further provision for the improvement of said road generally, and particularly for building a stone pier under the bridge over Blue river on said road.

On motion of Mr. Carter, of O.

*Resolved*, That the committee on education be instructed to enquire into the expediency of so amending the act entitled, "an act incorporating congressional townships, and providing for public schools therein;" approved Feb. 10th, 1831, that so much of the proceeds arising from the sales and rents of the school lands in each township as is necessary for the building and finishing school houses thereon, as described in the said act, shall be applied for the purpose of building and finishing the school houses, as contemplated by said act, where they are not already built and finished, and report by bill or otherwise.

On motion of Mr. Carter, of O.,

The resolution moved by him and laid on the table on the 7th inst. relative to amending the act entitled, an act for assessing and collecting the revenue, so as to make it the duty of the board doing county business, to appoint one assessor in the bounds of each captain's company, was taken up.

Mr. Payne moved to amend said resolution, by striking out the

words "captain's company," and inserting in lieu thereof "road districts;"

Which motion was decided in the negative.

Mr. Parker moved to amend the same by striking out the words "captain's company" and inserting in lieu thereof the words "election districts;"

The question being put,

Shall said resolution be so amended?

It was carried in the affirmative.

On motion of Mr. Shortridge,

The further consideration of said resolution was indefinitely postponed.

Mr. Hannegan moved the following resolution:

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of appointing a reporter to the decisions of the Supreme Court of the state of Indiana, and to allow him such compensation as may be deemed reasonable.

And also, to enquire into the expediency of requiring the Supreme Court, in all cases adjudicated upon, to deliver a written opinion upon every point submitted in such case;

With leave to report by bill or otherwise.

Mr. Henley moved to lay the same on the table;

Which motion was decided in the negative.

And, on the question to adopt said resolution,

It was carried in the affirmative.

On motion of Mr. Mitchell,

*Resolved*, That a committee of three be appointed to enquire if any, and what alteration is necessary in the act to incorporate Medical Societies, for the purpose of regulating the practice of physic and surgery in this state, approved Feb. 12th, 1825;

With leave to report by bill or otherwise.

*Ordered*, that Messrs. Mitchell, M'Junkin and Huntington, be that committee.

On motion of Mr. M'Nary,

*Resolved*, That the committee on education be instructed to enquire into the expediency of admitting all orphan children to be taught at the State College free of fees, who are unable to pay for the same;

With leave to report by bill or otherwise.

On motion of Mr. Wilson,

*Resolved*, That the select committee on the Michigan road be instructed to enquire into the expediency of granting further time to contractors and sub contractors on said road, for the completing of their contracts, and that they report by bill or otherwise.



On motion of Mr. Moore,

*Resolved*, That the committee of ways and means be instructed to enquire into the expediency of so amending the revenue law as to provide for placing the delinquent list in the hands of some constable within each electoral district or township in each county in this state, for collection, requiring such security for the faithful accounting for the same when collected, as may be deemed necessary;

With leave to report by bill or otherwise.

Mr. Hanna, after having obtained leave, presented a joint resolution relative to the public ferry at Indianapolis;

Which was read the first time, and passed to a second reading.

And then the House adjourned until 2 o'clock, P. M.

*2 o'clock P. M.*

The House met pursuant to adjournment.

The Speaker laid before the House certain written charges of malfeasance in office by Thomas M'Clure and others, (verified by affidavit) against Daniel Clark Johnson, clerk of the Knox circuit court;

Which were read, and

On motion of Mr. Bonner,

Referred to the judiciary committee, with power to said committee to use the process of this House in sending for persons and papers for the investigation of said charges.

Mr. Sands, after having obtained leave, presented a petition of John T. Henderson and other citizens of Putnamville, owners of lots in said town, praying the passage of a law to invest the title in fee simple to a six feet alley, that lies between lots Nos. 28 and 29, in Daniel W. Layman;

Which was read and referred to a select committee of Messrs. Sands, Peyton and M'Nary.

The speaker laid before the House certified copies of the reports of Luther Tillotson and Isaac Pearson, Esquires, commissioners appointed by the boards doing county business, in Warren and Vermillion counties, respectively, pursuant to the "act for the more permanently establishing the line dividing the counties of Vermillion and Warren," approved Feb. 3, 1832, made to the board of commissioners of their respective counties, with accompanying plats of survey;

Which were read and referred to the same select committee to whom, by a resolution of the House, the subject of said boundary was this day referred.

Mr. Hanna from the select committee to which was referred a



resolution relative to William Warren, reported a joint resolution asking relief to said Warren;

Which was read the first time, and passed to a second reading.

On motion of Mr. Payne,

The vote taken this morning on engrossing the joint resolution, relative to the extension of the Wabash and Erie canal, was reconsidered, and

On motion of the same gentleman,

Said joint resolution was committed to the same committee of the whole House, to which is committed the engrossed joint resolution from the Senate on the same subject.

A message from the Senate, by Mr. Morris, their assistant secretary:

MR. SPEAKER:

The Senate passed, Dec. 15th, an engrossed bill entitled, "an act to amend the act authorizing domestic attachments and regulating the proceedings thereon," approved Jan. 19th, 1831; in which bill they desire the concurrence of the House of Representatives.

The said engrossed bill was read the first time, and passed to a second reading.

Mr. Rariden, after having obtained leave, presented a bill to locate and establish a state road from a point on the line dividing Michigan territory from Indiana, in a direction to Cincinnati, Ohio;

Which was twice read, (the rules of the House having first been dispensed with,) when

Mr. Proffit moved to commit the same to a committee of the whole House for to-morrow;

Which motion was decided in the negative.

On motion of Mr. Rariden,

Said bill was committed to the committee on roads.

The House then proceeded to consider the orders of the day, and resumed the consideration of the joint resolution on the subject of the public lands, undetermined when the House adjourned on Saturday last.

The question was then put, on the motion of Mr. Palmer to lay said joint resolution and the amendment proposed thereto by Mr. Mitchell, on the table, which motion was depending when the joint resolution was last under consideration;

And the ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Carter of M. & C. Clark, Cravens, Cristler, Crume, Culley, Ferguson of C., Ferguson, of U., Finch, Fowler, Goodbar, Hargrove, Henley, Heustis, Moore, Palmer, Parks, Peyton, Ruddick, Schoonover, Skeen, Stanford, Wallace, Watt, Wooden and Davis, Sp'k—28.

*And those who voted in the negative are,*

Messrs. Bonner, Bradbury, Bradley, Bryant, Buell, Carter of O., Claypool, Cox, Crawford, Davenport, Davis of S. Dunn, Edwards, English, Hamilton, Hanna, Howell, Hannegan, Huntington, Lane, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Osborn, Parker, Payne, Proffit, Pruett, Rariden, Reid, Ribble, Roop, Sands, Shortridge, Slaughter, Smith, Steele, Vawter, Wilson and Woodruff—45.

And so said motion was decided in the negative.

A motion was then made by Mr. Hannegan, that the further consideration of said joint resolution and proposed amendment, be postponed indefinitely;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Carter of O., Clark, Cox, Cristler, Crume, Culley, English, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hannegan, Hargrove, Henley, Heustis, Howell, Lane, Lowe, Mastin, M'Junkin, Mitchell, Osborn, Palmer, Parker, Parks, Peyton, Pruett, Sands, Schoonover, Skeen, Slaughter, Wallace, Watt, Wooden and Davis, Speaker—40.

*And those who voted in the negative are,*

Messrs. Bonner, Bradbury, Bryant, Buell, Carter of M. & C., Claypool, Cravens, Crawford, Davenport, Davis of Sh'y, Dunn, Edwards, Hanna, Huntington, Levenworth, Lewis, Livingston, Moore, Payne, Proffit, Rariden, Reid, Ribble, Roop, Ruddick, Shortridge, Smith, Stanford, Steele, Vawter, Wilson and Woodruff—32.

And so the further consideration of said joint resolution and proposed amendment was postponed indefinitely.

The engrossed bill from the Senate to amend the act directing the mode of suing out and prosecuting writs of habeas corpus, and

The bill to amend an act entitled "an act to prevent useless and expensive applications to the General Assembly, relative to State roads,

Were severally read the second time and committed to a committee of the whole House for to-morrow.

The bill to amend an act entitled "an act regulating marriages," approved, Feb. 4, 1831, was read the second time.

Mr. Rariden moved that the further consideration thereof be postponed indefinitely;

Which motion did not prevail.

It was then,

On motion of Mr. Parker,

*Ordered*, That said bill be committed to a select committee;

Whereupon,

Messrs. Parker, Rariden and Moore were appointed that committee.

The bill to establish a State road from Napoleon in Ripley county, by the way of Camden, Newbern and Columbus in Bartholomew county to Bloomington in Monroe county;

The bill to locate a State road from Williamsport in Warren county, by the way of Lebanon and Chesapeake to the State line, and

The bill to establish a State road in Vigo county;

Were severally read the second time and committed to the committee on roads.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate has passed an engrossed joint resolution to procure appropriations to construct a safe harbour, and to erect a Light House at the mouth of Des Chemins on Lake Michigan, in which the concurrence of the House of Representatives is requested.

The said joint resolution was read the first time and passed to a second reading.

The House then resumed the consideration of the orders of the day:

The engrossed memorial and joint resolution from the Senate soliciting aid to improve the great western thoroughfare leading from Louisville to St. Louis, via Paoli, Mount Pleasant, Washington and Vincennes, was read the second time and ordered to be read a third time to-morrow.

The memorial to the Congress of the United States on the subject of pre-emption rights, was read the second time.

Mr. Finch moved that the rules of the House be dispensed with, that the said memorial be considered as engrossed, and read a third time, now.

Pending the question thereon, it was,

On motion of Mr. Stanford,

*Ordered*, That said memorial be committed to a committee of the whole House and made the order of the day for to-morrow.

The bill authorizing John Newby of Jackson county, to expend certain monies appropriated out of the 3 per cent. funds on the Madison and Brownstown State road; and

The bill to extend the privileges granted to the Harrison and White Water bridge company;

Were severally read the second time, and,

*Ordered* to be engrossed and read a third time to-morrow.

The bill to repeal an act entitled "an act to prohibit the circulation of bank notes of a less denomination than five dollars," was read the second time.

Mr. Lane moved that the further consideration thereof be indefinitely postponed;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bryant, Carter of M. & C., Clark, Cravens, Culley, Dunn, Fowler, Goodbar, Hamilton, Hargrove, Heustis, Howell, Huntington, Lane, Levenworth, Livingston, M'Junkin, Mitchell, Moore, Osborn, Palmer, Parks, Payne, Peyton, Proffit, Ruddick, Schoonover, Slaughter, Wallace, Wilson, Wooden and Davis, Speaker—34.

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Bradley, Buell, Claypool, Cox, Crawford, Cristler, Crume, Davenport, Davis of S., Edwards, English, Ferguson of C., Ferguson, of U., Hanna, Hannegan, Henley, Lewis, Lowe, Mastin, Parker, Pruett, Rariden, Reid, Ribble, Roop, Sands, Shortridge, Skeen, Smith, Stanford, Steele Vawter, Watt and Woodruff—36.

And so the further consideration of said bill was not indefinitely postponed.

Mr. Palmer moved that said bill be committed to the same



select committee to which was referred so much of the Governor's message as relates to a State bank; and

Before a decision was had thereon,

The House adjourned until to-morrow morning at 9 o'clock.

## TUESDAY, DECEMBER 18, 1832.

The House met pursuant to adjournment.

On motion of Mr. Huntington,

The several orders of the day which precede the engrossed joint resolution from the Senate requesting the Governor of Indiana to communicate with the Governor of Ohio, relative to the extension of the Wabash and Erie canal, and the joint resolution of the House relative to the extension of the Wabash and Erie canal, were for the present suspended, and

The House proceeded to consider those joint resolutions.

On motion of Mr. Huntington,

The committee of the whole House to which those joint resolutions were committed, were discharged from the further consideration thereof.

*Ordered*, That the said engrossed joint resolution from the Senate be laid on the table.

Mr. Hanna moved to fill the blank in the first clause of the second resolve, with the name of "Jesse S. Williams," (being the commissioner designated to communicate with the Governor of Ohio.)

Mr. Henley moved to lay said joint resolution and proposed amendment on the table;

Which motion was decided in the negative.

The question recurring on filling the blank as proposed,

It passed in the affirmative.

Mr. Payne moved to add to the first resolve, the following, to wit: "and to ascertain whether the State of Ohio will unite with the State of Indiana, in the incorporation of a company with a sufficient capital to complete said canal, each State reserving to herself, the right of appropriating to the purchase of stock in said company, the full amount of the proceeds of the lands donated by Congress in aid of said canal, lying within the limits thereof; the State of Indiana to be credited in her said subscription for

the amount expended and contracted to be expended on said canal."

A motion was made by Mr. Ferguson of C. to lay said joint resolution and proposed amendment on the table,

And decided in the negative.

The question being put on the amendment proposed thereto by Mr. Payne,

And the ayes and noes being demanded by two members,

*Those who voted in the affirmative, are*

Messrs. Bradbury, Carter of O., Clark, Crume, Ferguson of C., Ferguson of U., Hamilton Hanna, Hargrove, Henley, Heustis, Howell, Lane, Levenworth, Lewis, Lowe, Mitchell, Moore, Parker, Parks, Payne, Rariden, Ruddick, Schoonover, Smith, Steele, Vawter and Watt—28.

*And those who voted in the negative, are*

Messrs. Bell, Bonner, Boyd, Bradley, Bryant, Buell, Carter of M. & C., Claypool, Cox, Cravens, Crawford, Cristler, Culley, Davenport, Davis of Sh., Dunn, Edwards, English, Finch, Fowler, Goodbar, Hannegan, Huntington, Livingston, Mastin, McJunkin, McNary, Osborn, Palmer, Peyton, Proffit, Pruett, Reid, Ribble, Roop, Sands, Shortridge. Skeen, Slaughter, Stanford, Wallace. Wooden, Woodruff and Davis, Speaker—44.

So said motion to amend was decided in the negative.

The said joint resolution was then

*Ordered* to be engrossed and read a third time on to-morrow

Mr. Bell presented a petition of M. C. Read and others, officers of Madison county, upon the subject of the election of a Brigadier General for the counties of Madison, Hamilton and Delaware,

Which was read and referred to the committee on military affairs.

Mr. Hanna presented a petition of Edmund G. Boston and others, praying the passage of an act exempting certain property from execution, in addition to what is already exempted;

Which was read and referred to the committee on the judiciary.

Mr. Howell presented a petition of Wm. Jones and others, praying authority to Hiram Main to change a part of the State road leading from Rockport to Boonville;

Which was read and referred to a select committee of Messrs. Howell, Proffit and Lane.

Mr. Stanford presented two petitions of citizens of the counties of Wayne and Henry, severally praying the location of a State road from the line dividing the States of Ohio and Indiana to the town of New Castle in this State;

Which were read and referred to a select committee of Messrs. Stanford, Steele and Bradbury.

Mr. Steele presented two petitions of sundry citizens of the same counties on the same subject;

Which were read and referred to the same select committee.

On motion of Mr. Bradbury,

Mr. Hanna was added to the select committee to which was committed the subject of the removal of the Pension office.

On motion of Mr. Hanna,

The petition of John Nash, praying for a divorce, presented by him and laid on the table on the 5th inst. was taken up and referred to the committee on the judiciary.

Mr. Sands presented a remonstrance of sundry citizens of the counties of Putnam and Owen, against having any part of the county of Putnam attached to the county of Owen.

Which was read and referred to the same select committee to which was referred a petition on that subject.

Mr. Moore, from the committee on the judiciary to which was referred a resolution of this House, relative to the formation of a judicial circuit, to be composed of the counties of Carroll, Cass, Miami, Grant, Wabash, Huntington, Allen, Lagrange, Elkhart, St. Joseph and Laporte, reported a bill, organizing the eighth judicial circuit, and fixing the times of holding courts therein;"

Which was read the first time and passed to a second reading.

Mr. Buell moved that Mr. Crawford be added to the select committee on congressional districts;

Which motion was decided in the negative.

Mr. Moore, from the committee on the judiciary, made the following several reports, viz:

1st. The committee on the judiciary, to which was referred the petition of Elizabeth Hulen, praying the passage of a law to divorce her from her husband, Wyatt Hulen, have had the same under their consideration, and are of opinion, that the circuit court has full and ample power to interpose in her behalf, for the causes alledged; they have therefore directed me to report that it is expedient to legislate upon this subject;

Which was read and concurred in by the House.

Also,

2d. The committee on the judiciary, to which was referred a resolution of this House, instructing the committee "to enquire into the expediency of so amending the law regulating the mode of summoning and empannelling grand and petit jurors, as to provide by law, for summoning twelve persons as petit jurors, instead of the number twenty-four, for each week during the term of the respective circuit courts in this State," have had that subject under consideration, and directed me to report, that the committee believe it to be inexpedient to reduce the number of petit jurors required to be summoned and empaneled under the existing law; Which was read and concurred in by the House.

Also,

3d. The judiciary committee, to which was referred a resolution of this House, instructing said committee to "enquire into the expediency of authorising justices of the peace, within the several counties, to do all the business that is now entrusted to the several boards of county commissioners," have, according to order, had the same under consideration, and directed me to report that, in the opinion of the committee, it is not expedient to legislate on that subject at this time;

Which was read, when

Mr. Payne moved to recommit the same to a select committee; Which motion was decided in the negative.

On the question to concur in said report, It passed in the affirmative.

Also,

4th. The judiciary committee to which was referred the memorial of sundry citizens of the county of Monroe, relative to the mode of doing county business in said county, and praying that the mode of transacting county business therein, be so changed as to adopt the mode as heretofore, by the board of justices of the peace, have accordingly had the same under consideration, and directed me to report that, in their opinion, it is inexpedient to legislate on that subject at this time;

Which was read and concurred in by the House.

Mr. Moore, from the committee on the judiciary to which was referred the petition of B. & W. Allensworth, reported a bill to authorize the Spencer circuit court to change the venue in a certain case therein named;

Which was read the first time.

Mr. Bariden moved to reject the same;

Which motion was decided in the negative.

It was then



*Ordered*, That said bill pass to a second reading.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Moore made the following report:

The committee on the judiciary, to which was referred the petition of Wilson Wire and others, praying that said Wire might be divorced from his wife Cynthia, and also, the remonstrance of sundry persons against the same, have had the subject under consideration and directed me to report that, in the opinion of said committee, the prayer of the petitioners ought not to be granted;

Which was read and concurred in.

Mr. Moore from the judiciary committee to which was referred a resolution of the House instructing said committee to enquire into the expediency of amending the law regulating the taking up of animals going estray and water crafts and other articles of value adrift; so that if the owner does not come forward and prove his property, in one year, the same shall forever after vest in the taker up, reported that it is inexpedient so to amend the law.

On motion of Mr. Mitchell,

Said report was recommitted to a select committee.

*Ordered*, That Messrs. Mitchell, Carter of O. and Heustis be that committee.

Mr. Wooden, from the committee on military affairs, to which was referred so much of the Governor's message as relates to that subject, reported a memorial and joint resolution on military affairs;

Which was read the first time and passed to a second reading.

Mr. Culley, from the committee on claims to which was referred the account of John Trulock, collector of Scott county, in 1839, showing an over payment in the revenue of said county for said year, report the following resolution:

*Resolved*, That the committee of ways and means be directed to allow John Trulock the sum of four dollars in the specific appropriation bill;

Said resolution was read and adopted.

Mr. Lane, from the committee on roads to which was referred

the petition of Wm. C. Bramwell praying for relief, reported a bill for the relief of Wm. C. Bramwell, and for other purposes;  
Which was read the first time and passed to a second reading.

Mr. Sands, from the committee on roads, to which was referred a resolution of the House on that subject, reported a bill to relocate a part of the State road leading from Spencer in Owen county to Danville in Hendricks county;

Which was read the first time and passed to a second reading.

Mr. Sands, from the select committee to which was referred the petition of sundry citizens of Putnamsville in Putnam county, reported a bill to invest the title to a certain alley in the town of Putnamsville in Putnam county;

Which was read the first time and passed to a second reading.

Mr. Huntington, from the select committee to which was referred the petition of George W. Dewees, praying for a change of venue, reported a bill for the relief of G. W. Dewees;

Which was read the first time.

Mr. Hannegan moved to dispense with the rules of the House, and that said bill be read a second time, now, by its title;

Which motion passed in the negative.

It was then,

*Ordered*, That said bill do pass to a second reading on to-morrow.

Mr. Dunn, from the select committee to which was referred so much of the Governor's message as relates to that subject, reported a bill for the establishment of a State bank;

Which was twice read, (the rules of the House having first been dispensed with;) when,

On motion of Mr. Rariden,

The further consideration thereof was postponed until Monday next.

*Ordered*, That one thousand copies of said bill be printed for the use of the members of this House.

Mr. Dunn, the minority of the select committee to which was referred so much of the Governor's message as relates to the public lands, made the following counter report, viz:

The undersigned, one of the minority of the committee, to whom was referred so much of the Governor's message as relates to the Public Lands, begs leave to report, that having been so unfortunate as to differ from the majority of that committee, he feels himself compelled, by a sense of duty to this House, to lay before it, a full expression of his peculiar views, on the important subject, committed to the charge of that committee.

The matter referred, at all times perplexing and involving

questions of the most embarrassing nature, looses none of these quantities from the fact, that a difference of opinion, is supposed to exist between the majority of our representation in Congress, and the Governor of the State, on that subject; neither has the recent expression of opinion by the President of the United States, in his last message to Congress, in relation thereto, tended in the least degree to remove the difficulties and embarrassments which environ it.

The material point, to which the attention of this House was called by the Governor is, the propriety of instructing the members of Congress, from this State, to procure the enactment of a law, similar in its provisions to that which passed the Senate of the United States last winter, making distributions of the proceeds of the Public Lands for a limited period.

This bill passed the Senate by a considerable majority, and was lost in the House of Representatives by only one vote, the whole of our delegation in that House, voting against it.

By the provisions of this act, the new States in addition to what they are entitled to by virtue of their existing compacts with the General Government, were to have received 12½ per cent. of the whole amount of lands sold within their borders; and the residue of the proceeds of the public lands was to be divided among the twenty-four States, according to their population.

The majority of the committee, boldly denounce the principles contained in this bill, as destructive to the best interests of Indiana. They also, as the undersigned believes, step out of their way, to impeach the motives of those, who were instrumental in its passage. It will not be expected, that this example should be followed; but the remark will not be improper, that this exhibition of the feelings, which must have induced such a charge, should have the effect to make this house give to the reasoning and conclusions of the majority, a very patient and thorough investigation, before they assent to their correctness.

If the course of policy, which the majority would recommend in preference to that contained in the Senate's bill, is to be found in the resolutions which they have offered for the consideration of the House, they may be shortly stated thus:

1. A cession, by government, to the State, of all the lands in its limits, *on such terms as will be most favorable to the interest of her citizens*, and least prejudicial to the General Government.

2. That if a cession cannot be obtained, the price of the public lands now in market be reduced.

3. That further appropriations be obtained for the completion of the national road and the improvement of the Wabash river,

4. That a donation, of one half quarter section, be made to each free white male citizen of Indiana, who may have a family, of any lands that may have been offered for sale for ten years, for and on account of an actual settlement for five years.



So far as relates to applications for further grants, for the work named, and so far as relates to donations to actual settlers of refuse lands, under proper restrictions, the undersigned must be understood as having no objections—nor do those measures at all conflict with the general principles of the bill, to be investigated.

The subject matter of difference, then, will be, whether the State will derive most advantage from a distribution of the proceeds arising from sales of the public domain, as proposed in the bill; or 1st, from a cession of the lands to the State; or 2d, from a reduction of the price of all the lands now in market.

The majority of the committee, state the first to be destructive, and as they recommend the latter, it must therefore be concluded that either a cession of the lands, or a reduction of their price, in their view, will be more beneficial to the State, than the provisions of the bill referred to.

As this is purely a question of interest, it becomes important to ascertain what would be the practical results of these different propositions, if carried into effect. And the attention of the House is requested, first, to those that must flow from the operations of the bill, mentioned in the Governor's message.

By this bill, 12½ per cent. on the amount of the sales of public lands in the State, is first given to it, and then the residue of the proceeds of all the sales is divided between the twenty-four States of the Union.

The amount of sales of the lands in Indiana, for the year ending 31 Dec., 1831, was \$695,848 45, and 12½ per cent. on this, would amount to

\$86,981 05

The proportionate part of the residue to which we would be entitled, is

89,121 11

Making

176,102 15

In addition to this the bill appropriates to Indiana 115,272 acres of land, which judging from the sales of the Michigan road and Canal lands, may be fairly set down at 1 50 per acre, making

172,908 00

349,010 16

Notwithstanding that the whole amount of sales of public lands has been reduced in the last year, yet in Indiana they have increased; and when the large amount of fertile lands yet in market is taken into consideration; together with the recent purchase, and the lands yet to be purchased of the Miamies, there cannot remain a doubt but that these sales will continue to increase for at least 20 years to come. Should they, however, barely remain at the amount they were last year, and the average sales in all



the districts be reduced to 2,000,000 dollars the portion of Indiana under the principles of this bill, will be \$160,000 per annum & if the operation is continued for 20 years she will have received \$3,389,010 16, and if still continued, as if the principle be a correct one, it doubtless will be, her children and her children's children, will be receiving the benefit, for ages thereafter, until the whole of our vast territory shall be settled.

Against these results what have the advocates for the opposing system to offer?

It will be first necessary to know on what terms, this cession of the territory to the States is to be had before its advantages can be fairly estimated. The majority of the committee, in their report, have allowed themselves so much latitude in the expressions used "*on such terms as will be most favorable to the interests of her citizens and least prejudicial to the General Government,*" that the undersigned has in vain endeavored to form a definite opinion on the subject. A reference too, to the message of the President has in no manner assisted him. From it, the proposition seems to be for the United States to sell the lands "*to settlers in limited parcels at a price barely sufficient to reimburse to the U. States the expense of the present system and the cost arising under our Indian compacts.*" And again, "*that in convenient time, this machinery*" (the Land Office System) "*be withdrawn from the States, and that the right of soil and the future disposition of it, be surrendered to the States respectively, in which it lies.*"

Whether this surrender which is to be made at some *convenient* time is to be an absolute one and without remuneration, or whether the States are to reimburse the government for what may remain of the cost of purchase and the machinery connected with the land system, and take upon themselves the future expenditure under the Indian compacts, cannot be ascertained. It may however be imagined that the favorable terms of which the majority of the committee speak, must mean, that the United States will charge no more than cost, as any other rule would not be just to the other states.

The limited means of information within the controul of the undersigned, does not enable him to state what that cost is. But it was recently stated on the floor of this house, by an opponent of this principle of distribution, that one of the ablest statesmen of this country had estimated the value of the public domain, expenses deducted, at 20 cents per acre and that results had verified this calculation.

Taking this to be so, and the amount of unsold lands in Indiana on the 31st of December, 1831, as follows:

Lands to which the Indian title was extinguished	12,699,096
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Lands to which the Indian title was not extinguished,	3,681,040
	<hr/>
	16,380,136

And deducting therefrom the one 36th part, which is now the states by virtue of the present compact, and also the one 20th part being the 5 per cent. allowed for roads, by virtue of the same compact, it will be found to stand thus:

One 36th part,	455,003 acres.	
One 20th part,	819,006	"
		<hr/>
		1,274,009
		<hr/>
Total acres,		15,106,127

Leaves 15,106,127 acres of land at 20 cents per acre, making \$3,021,235 as the clear amount of this cession and the full extent of the benefit that would accrue to the state, not being as much by 367,776 dollars as we would obtain in 20 years upon the distributive plan.

If it is said that this estimate of 20 cents per acre is not a true one, the undersigned would be willing to test the question upon a calculation of the annual expenditure for the lands and their products. But it is not in his power by reference to any public document now at hand, to state the exact amount of appropriations for the Indian department for the last year. From recollection, however, they are believed to exceed \$1,000,000, while the sales of lands within the same period, was only 2,000,000; and if Indiana is to be taxed with her fair proportion of this expenditure, taking into consideration, the ultimate reduction that must be made, after the choice lands are taken up, while many of the expenditures will continue; many of the annuities paid to Indian tribes being permanent; and it will be found the proposed cession is not what its friends have supposed it to be.

Should it still be contended, that this is not a fair view of the subject, the undersigned feels no hesitation in meeting the question upon the broad ground of an absolute and unqualified cession.

As no definite value can be given to the lands, owing to their varied quality, a comparison, according to quantity of acres, will be the most appropriate and certain.

The whole quantity of public lands, in the States and Territories, on the 31st December, 1831, was as follows:

Lands to which the Indian title was extinguished	227,293,884
Lands to which the Indian title was not extinguished	113,577,869
	<hr/>
	340,871,753

The one twenty-fourth part, to which the State will be entitled to under the bill, will be 14,202,989 acres,

14,202,989

In addition to this there are beyond the States and Territories, lands belonging to the United States, to the amount of 750,000,000 of acres, to which the one twenty-fourth part would be about

31,000,000

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 45,202,989

In all 45 millions of acres, while all the lands in Indiana, unsold amounted to only 16,380,126. Showing a decided preference, for the distribution principle, of near 30 millions of acres.

In making these calculations, the portion of Indiana, has been set down at a one twenty-fourth part, although, from her present population, she will not be entitled to quite that amount. It is however sufficiently near for general purposes, as by the next census she will perhaps exceed it.

Under whatever circumstances then, these propositions are viewed, that of distribution, under the principles of this bill, has vastly the advantage. Even to confine this distribution to the land within the States and Territories, and it almost equals the whole quantity of land we should get by the most unqualified cession, and surely we shall not be told that, no revenue will be derived from the 750 millions of acres lying beyond? that we are calculating on things at too great a distance? Twenty years ago, and the same remark would have applied, with far more force, to our own lands; yet the very circumstance of our now making this calculation, on this soil, is the strongest proof to the contrary.

As it may not be obvious to all, how this great difference in favor of distribution occurs, it may be proper to state that, under the provisions of the bill which passed the Senate last winter, the distribution is made without any deduction whatever for expenses. In other words, that the General Government pays all the expenses of the Indian department out of the other revenues of the country, which otherwise would be fairly chargeable to this fund: and gives the whole proceeds of the public lands to be divided among the States.

But it is presumed, that the most sanguine of those who contend for a cession of the public lands, do not expect to obtain them without an adequate compensation to the government. The majority of the committee seem to admit as much from the terms on which they ask them, and there is nothing to be gathered from the message of the President, that authorizes a different conclusion. At most then, we could only promise ourselves this unreserved cession at that convenient time, when the best lands shall have been sold, and the residue shall have become



a burthen to the government; and it is presumed that, under any system, whenever that takes place, the refuse lands will be donated to actual settlers or given to the States as a matter of course, if they will then condescend to accept of them.

One argument for a general cession of these lands to the States is, that it will procure harmony, and that the opposite course will be productive of discord among the States. The undersigned must beg leave to differ from this opinion.

This principle of cession will give to every State the land within its borders, and new States, as many as may be formed, will forthwith be entitled to the same privilege. It may be asked then, if it will be at all equal in its operations. It will not be far from the truth to say that, in respect to value, more than two-thirds of all the land in Indiana has been sold, and paid for to the General Government. In Illinois, not more than one-third, or perhaps one-half of the lands has been sold. In Missouri not one-fourth. In Michigan, Arkansas & Florida still less. Yet, each would be entitled to all the lands within their borders. Can that principle, then, be just and equal towards Indiana, which gives to the States around her, three, four, or five times as much land as she gets, when her citizens has paid into the coffers of government five or ten times as much money as the citizens of those States have done. On such a distribution, would not Missouri complain, and with justice too, of Michigan, Arkansas, and Florida? and Illinois of Missouri? Would not Indiana unfavorably contrast her pittance with that of the States west and north of her? and surely Ohio would have most ample cause of jealousy towards all. The effect of this rule would be, that those of the new States who have paid the most money, made the earliest settlements, whose citizens have endured the greatest privations, and can enumerate the greatest number of victims to the tomahawk and scalping knife, are to receive the scantiest reward. The undersigned must, therefore, not only pronounce it unjust in itself, but express a firm belief that it would occasion the utmost ill feeling, between the old States and the new ones, and also tend to create jealousies of the most dangerous nature among the new States, and alienate them from each other.

It appears to be a favorite measure with the majority of this committee, that the lands in Indiana should be immediately and directly settled, by some short and summary process. They say, "it is not money Indiana wants—it is human souls!" And with this view, they recommend the policy of donating portions of the refuse lands. The President also seems to entertain the same opinion of the matter, and recommends the selling of the lands at cost, in limited parcels, to *settlers*.

So far as regards the donating of refuse lands to the settler, the undersigned believes, under proper restrictions, it would be a wise and salutary measure. But he must be permitted respectfully,



but firmly to object to the general reduction of the price of public lands to cost, as is proposed by the President. It is believed that no system founded on such a principle, can be carried into practice, without entire ruin to the present holders of land in the new States, and but, what also would be, fraught with endless contests and difficulties. To throw open to entry the present unsold lands in the west, to actual settlers at cost, the immediate consequence will be, a reduction in the value of the landed estate of the country, to an incalculable degree. The old counties will be immediately depopulated by their people pressing on to the interior, each endeavoring to locate himself before his neighbor. That portion of the community engaged in the mechanic arts, would quit their usual pursuits, to the great detriment of the country. And, by the general withdrawal of labor, which this new impetus would occasion, those works of internal improvement in which the state is now engaged, must either be suspended, or progressed in at a ruinous expense; while our Wabash lands, reduced in price by the same operation, will be found entirely inadequate to defray; and an abandonment of the undertaking, or an immediate resort to taxation, must be the consequence. If, by any means it should be provided, that none should be entitled to these entries but those, who, in the language of the majority, are indigent, with what justice might not he complain, who has bought his tract of poor land in the old counties, paid the government for it, and struggled through the difficulties of a frontier settlement, to find himself and children postponed, and those receiving the chosen bounties of government, a large majority of whom, but for idleness and dissipation, would have had homes like himself. And if poverty is to be the criterion, how many ways would be resorted to by men to place themselves in that, then, desirable condition.

The whole object to be gained, seems to be an increase of population. In the opinion of the undersigned, our present rapid gain in this respect, should be equal to the wishes of the most fastidious. The majority themselves, tell us, that under the liberal policy which has so far characterized the General Government, "we have increased in population and wealth, beyond any former example." In a very short period, and but few of our sister States will be before us in point of population. Why, then, this anxiety should be felt, and why such extraordinary means should be resorted to, to attract greater crowds to our shores than are now pressing there, by holding out bounties to their view, he cannot imagine. Population, it is true, by such means, may be made to flow upon us. But will it be of that "virtuous and enlightened" character, of which the majority of the committee have so eloquently spoken? Will it be of that healthy description that is now steadily and yet rapidly filling our borders? On the contrary, is there not good reason to fear, that the greater portion will

be composed, not of the honest and industrious, or unfortunate poor, but of the idle, the dissolute, and the vicious. Population might thus be bought, but will it not be at too high a price? Will it not be depriving the State of those means, which under the plan proposed for distribution, will enable her to improve her natural facilities for commerce, and educate her children, and thereby indeed make her people virtuous and enlightened.

It is, therefore, believed that no general system of selling these lands at cost, can be carried into practice; but what will give rise to much difficulty and contention, and which in utility and general benefit to the State, will fall far short of the plan proposed in the Senate's bill. The sums obtained by this distribution, will come most opportunely for the present interest of the State. At this time, when a monied pressure is fearfully looked for, \$200,000, or even 150,000 dollars, annually thrown in circulation, and a proportionate sum in Ohio, Illinois, and Missouri, would have a material effect in relieving the western country.

That sum, prudently employed in aid of the present means provided for that purpose, would very greatly diffuse the blessings of education, and enable the State to press on to a far more rapid completion, the great work she is now engaged in. It would enable her to stimulate and encourage works of a similar kind, tending to develop the resources of the country, and enable the farmer to export his produce with more facility and to better profit.

A further and important advantage will be derived by a judicious disposal of these funds in public works. A healthy and regular demand for labor will be created within the state, by which all who are willing to work, will be able of themselves to procure the means necessary to purchase lands; and it is confidently believed, that the poor but honest man will be far better satisfied to have the means thus afforded him of earning a home, than by any donation that could be made to him. If thus obtained, he would cherish it more dearly; he would part with it more reluctantly; he would feel more independent, and his standing in society to be more elevated, than if he had been the object of public bounty.

It has been repeatedly urged by the advocates for a cession, or general reduction of the price of the public lands, that the present system is draining us of our money. What portion of the 690,000 dollars received in this state for land in 1831, was paid by the citizens of Indiana, is not known. But it is believed that at least one half, if not two thirds, of that sum was brought and paid in by persons removing from other states. If so, and \$100,000 per year can be obtained back from the general government, as it will be under this act, it will go a great way to remove any difficulty of this kind.

It is believed that most of the arguments urged in favor of a cession or general reduction of the price of the public lands, have now been noticed, and the undersigned has failed to discover any

thing in them, which should induce this state to cast from her the plain practical benefits which are to flow from the distribution proposed.

It would seem to be admitted by the majority, that the measure proposed by the bill under consideration, would be beneficial. They make no objection to any particular provision contained in it. But there seems to be some undefined fear lurking in their minds that, when once this distribution takes place, an ungenerous and illiberal course of legislation will be adopted by Congress; the price of the public lands be raised, a stop put to further surveys, and thereby our future growth and prosperity prevented. The undersigned is unable to discover the least ground for that fear. If he looks at the situation in which the general government stands in relation to this matter, he can perceive nothing in her attitude as a trustee, executing the trust reposed in her, that can at all induce her to act in any manner oppressive to us, or unjust to the old states. Every principle of good faith forbids it. If he is to judge of what will be, from what has taken place, he is equally at a loss to discover, in the legislation of Congress, any reason for the fears of the majority of the committee. From the very first, one thirty-sixth part of these whole lands were given to the new states for schools, together with large grants for College and other purposes. One twentieth was also given for roads. At the time when a large and increasing debt was hanging over our heads, contracted for these lands, Congress released one third of it, and from time to time gave the most liberal indulgence for the payment of the residue; and in every instance of forfeiture has refunded the value.— At the request of these states the price of lands has been reduced from 2.00 to 1.25 per acre, and extensive donations made to all, for works of internal improvement.

If it be said that now for the first time will the old states derive a benefit from these lands, and therefore that their cupidity will only now be excited and this illiberal course pursued; he would respectfully suggest, that, such is not the fact, and deny that such will be the consequence.

The proceeds of the public lands have heretofore all gone into the general revenues of the government; and so far from the old states having derived no benefit from these lands, the truth is, that in consequence of the great expenditure of public money there and the limited one here, they have derived all the benefit and we none.

But if those feelings of avarice, and a desire of making the most immediate benefit out of the lands should arise, which the majority fear, he would anticipate an entirely different result from what they do, and so far from its occasioning an enhancement of the price of public land, and thereby a reduction in the amount of sales, it would be the policy of the states to lessen the price and



increase the amount of sales. They have had experience how much the aggregate amount of sales has been increased by the former reduction in price; and where can be found a motive for them now to act otherwise? Would it be from a fear that the stock would be too soon exhausted? Look at the 340 millions yet unsold within the present states and territories. Look at the 750 millions lying in the vast regions beyond; which for centuries to come will scarcely be filled up; and surely it must appear, that the fears expressed by the majority are entirely visionary. The conclusion they have come to that, we should refuse this distribution for fear of something worse following it, appears to the undersigned no better than one, that we should refuse to eat for fear of being strangled.

But if the present population are to cast from them the benefits they may derive from this distribution, in the means it will afford them to improve their condition, the undersigned would ask who is to be benefitted by it? Surely none but those who may be attracted to our state by the lures and bounties thus held out to them. And is it the duty of this House, solely to legislate for the future population, without regard to the interest of the present, whose representatives its members are? Is the present population willing to yield up their whole share of this common fund to those who may come after them? or rather is it not their interest, would it not be their wish, and is it not the duty of this House to hold on to it for the general improvement of the condition of the whole people. Those who settle the new territory will be equally benefitted by this course. Imagine them located in the wilderness without a fund to make a road or establish a school: and contrast it with their situation when, as fast as population increases, roads of the most perfect and durable construction may be made—their rivers improved, so that, whatever they may have to export can be easily and cheaply taken to market; and when they can behold the certainty of their offspring being educated at the charge of the public. Surely these would be inducements to emigration far more powerful than any system of bounties that could be devised.

Although the undersigned has thus examined the principles and practical effects of a cession of the lands, and contrasted them with those of a distribution under the Senate's bill, yet it has been done more from the consideration due to those, who advocate the first measure, than from any belief, that a cession on any terms, that the State will accept, can be had. This opinion is entertained, because he can not perceive that a course which would deprive the old States of a participation in the proceeds of these lands, would be either just in itself, or to the interest of those States to adopt.

In their examination of this subject, the majority of this committee have correctly stated, that the United States derive their



claim to the lands north west of the Ohio, through the deed of cession made by Virginia. But they have strangely misconstrued the terms of that instrument, when they say that, this cession was made for the sole specific purpose of paying the debt of the revolution. That deed expressly states "that all the lands within the territories so ceded to the United States, and not reserved for or appropriated to any of the before mentioned purposes, or disposed of, in bounties, to the officers and soldiers of the American Revolution, *shall be considered as a common fund, for the use and benefit of such of the United States as have become or shall become members of the Confederation or Federal alliance of the said States, Virginia included, according to their respective share in the general charge and expenditure, and shall be faithfully and bona fide disposed of, for that purpose, and for no other use or purpose whatever.*" The undersigned believes that, if any language can be clear and distinct, this is so, and that the general government, in giving all these lands to the new States, to the exclusion of the old, would be guilty of a breach of the trust confided to her care.

It is equally clear that, it is impracticable to obtain such a grant. Four years ago, by a solemn act of this legislature, these lands were demanded of the General Government, as the exclusive property of this State. The like claim has been from other quarter, also, pressed upon her, but so far it is believed, it has scarcely met, with even a serious consideration from Congress. That the South will, at all times go against it, is evident from the speeches made on the subject last year by her members in Congress. It is her object, that the proceeds of these lands, should never be taken from the General Government. It is her wish, to swell the revenues from every source, except from duties on imports; and thereby force from Congress an abandonment of the principle of protection to American Manufactures. She, therefore, will not consent to a cession. The eastern and middle States are most of them engaged in expensive operations of internal improvement, and are fast friends to the cause of general education. It cannot, therefore, be expected that they will so far forget their interest, as to give up their share of this common fund.

Indeed, the undersigned can scarcely conceive of any state of affairs, which could induce him, were he a citizen of an old State, to give up the advantages, which the distribution of these common funds, would afford for education and improvement. Nay, he will go further and say that, located where he is; and entertaining those feelings of regard, for the public welfare and prosperity, which should be in every American citizen as extensive as our wide spread Union, with sentiments of deep regret, would he witness the destruction of the hope that, by means of this common fund, the lights of education, will be brought to

every hovel in the country; and that, by the general improvement, which this fund will stimulate and support, this whole people, will become "one and inseparable, now and forever."

The friends of a cession of the soil, will no doubt feel themselves strengthened by the recommendation of the President on that subject. But the undersigned does not perceive that the plan proposed by the President is at all that, which will suit the wishes of either the old or the new States; at any rate, it is far from being what the advocates for an unqualified and immediate cession would desire. So far from the plan proposed by the President meeting the views of a majority of Congress, and thereby producing a definite arrangement of the public lands, he believes there is much cause to fear that, it will altogether prevent such an arrangement. For, if the sense of interest which has been noticed in the east, centre and south, should prevent a cession; even if by the votes of the east, centre and west, a distribution can be obtained as is contemplated by the Senate's bill, there is some reason to expect that it may not meet the approbation of the President.

It is but just, however, to state that, it does not appear from any thing contained in the President's message, that his feelings in favor of the plan he proposes, or his objections to any other, are of that nature, as would induce him to refuse his assent to any bill that might be passed on the subject.

That the bill to which the attention of this House has been called by the Governor, may be fully understood and be before the House, when this matter is examined into, it has been appended to, and made a part of this report.

The importance of an expression of opinion, by this General Assembly, will be seen when it is born in mind, that the sense of Congress was fully expressed on most of the different propositions here examined last session, and that all amendments to the bill changing its features, were voted down. If the same sentiments should still prevail, the naked question may be again presented to our representatives, whether it is best for the State of Indiana, to accept of the present distribution proposed of 150 to 200,000 dollars per year, or to refuse it, and trust to some future legislation of Congress for a better appropriation.

From every consideration which the undersigned has been able to give the subject referred, he fully believes that, a due regard to the interest of the present inhabitants of this State, and to its ultimate growth and prosperity, makes it important, that the necessity of union should be urged upon our representation in Congress to procure the enactment of a bill, founded on any principle of distribution that will be at least as favorable in its operations to Indiana, as would have been the one under the consideration of that body at its last session.

At the same time he makes this recommendation, and states

his decided preference for the principles of that bill, he would not be understood, as desiring or recommending to this House, that our Representation should be forbidden from accepting a cession of the public land, if made to the State on proper conditions; provided a fair and just distribution cannot be had, or that such guards and pledges may not be asked of Congress, as may prevent any future legislation to the injury of this State.

Corresponding with these views and in the hope of producing a union of sentiment, on this important matter, he respectfully recommends the adoption of the following preamble and joint resolution.

Said report was accompanied by a joint resolution on the subject of public lands;

Which was read the first time and passed to a second reading.

Mr. Huntington moved that 1000 copies of said report and joint resolution be printed for the use of the members of this House;

Mr. Finch proposed 500 copies;

The question was put on printing 1000 copies,

And passed in the affirmative.

And then the House adjourned until to-morrow morning, at 9 o'clock.

### WEDNESDAY, DEC. 19th, 1832.

The House met pursuant to adjournment.

Mr. Woodruff presented a petition of Daniel Prichard and others, citizens of Johnson county, praying compensation to James Tiller for improvements made on section sixteen, in township eleven, north of range four east, in said county of Johnson; Which was read and referred to the committee on education.

Mr. Hannegan presented a petition of J. L. Sloan and others, praying the location of a State road from Covington, in Fountain county, to Russellville, to intersect a State road on a direction to Greencastle;

Which was read and referred to a select committee of Messrs. Hannegan, Pruett, and Sands.

Mr. Palmer made the following report:

The committee of ways and means to which was referred a re-



solution of this House, directing an enquiry into the "expediency of so amending the act entitled an act to license and regulate taverns and groceries, approved, February 3d, 1832, as to give the board doing county business, discretionary power to take into their consideration the situation, together with the capital to be employed by the applicant in groceries, and to levy a tax accordingly, not less than three, nor more than ten dollars," have had the subject under their consideration, and have directed me to report, that the committee deem it inexpedient to legislate upon that subject; and ask to be discharged from the further consideration of said resolution;

Which was read and concurred in by the House.

Mr. Lane made the following report:

The committee on roads to which was referred "a bill to locate a State road from Williamsport, in Warren county, by the way of Lebanon and Chesapeake, to the State line;" "a bill to establish a State road in Vigo county," and "a bill to establish a State road from Napoleon, in Ripley county, via Camden, Newbern and Columbus, in Bartholomew county to Bloomington in Monroe county," have had the same under consideration, and have directed me to report the above named bills without amendment, believing it expedient to consolidate the provisions of said bills;

Which was read and concurred in by the House.

*Ordered*, That said bills be severally engrossed, and read a third time on to morrow.

Mr. M'Nary, from the select committee to which was referred a resolution of the House on that subject, reported a bill to amend an act entitled, "an act regulating the interest of money in the State of Indiana," approved Feb. 1st, 1831;

Which was read the first time, and passed to a second reading.

Mr. Sands, from the majority of the select committee to which was re-committed the bill dividing the State into Congressional districts and for the election of Representatives in Congress, reported the same without amendment.

Mr. Proffit moved to recommit the same to a select committee, with instructions to amend said bill by striking out the counties of Harrison and Orange from the first district, and attaching in place thereof the counties of Knox, Davies and Martin.

Which motion was decided in the negative.

Mr. Henley moved to lay said bill on the table;

Which motion was decided in the negative.

Mr. Hannegan moved that the same be committed to a committee of the whole House, and made the order of the day for Monday next;

Which motion was decided in the negative.



Mr. Hannegan moved to amend the same so as to strike off the counties of Lagrange and Elkhart from the 7th district, and attach them to the 4th district;

Which motion was decided in the negative.

Mr. Proffit moved to recommit said bill to a select committee, with instructions to strike out the counties of Harrison and Orange from the first Congressional district;

Which motion was decided in the negative.

Mr. Crume moved to re-commit the bill to a select committee, with instructions so to amend the same as to attach the counties of Fayette and Union to the third district;

Which motion was decided in the negative.

Mr. Sands moved to re-commit the same to a select committee, with instructions to add Vermillion county to the 6th and Putnam county to the 7th district;

Which motion was decided in the negative.

Mr. Wooden moved to amend said bill so as to annex Lawrence county to the 5th and Monroe to the 6th district;

Which motion was decided in the negative.

Mr. Vawter moved to re-commit said bill to a select committee, with instructions to amend the same, so as to make the counties of Clark, Jefferson, Scott, Jackson, Bartholomew, Jennings and Switzerland, one Congressional district;

Which motion did not prevail.

Mr. Sands moved to amend the same so as to add the county of Putnam to the 7th district;

Which motion was decided in the negative.

Mr. Bryant moved to amend said bill so as to strike off from the 7th district the counties of Lagrange, Laporte, Elkhart, and St. Joseph;

Which motion did not prevail.

Mr. Crume moved to amend said bill by striking out Fayette county from the 4th district, and attaching thereto the counties of Elkhart and Lagrange;

Which motion was decided in the negative.

Mr. Proffit moved to amend said bill by striking it out from the enacting clause;

And the ayes and noes being requested thereon, by two members:

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bryant, Carter, of O., Clark, Cravens, Cristler, Crume, Ferguson of U., Finch, Hannegan, Hargrove, Lowe, M'Nary, Osborn, Palmer, Parks, Proffit, Sands, Schoonover, Slaughter, Vawter, Watt and Wooden—21.

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Bradley, Buell, Carter of M. & C., Claypool, Cox, Crawford, Culley, Daniel, Davenport, Davis of Sh., Dunn, Edwards, English, Ferguson of C., Fowler, Goodbar, Hamilton, Hanna, Henley, Heustis, Howell, Huntington, Lane, Levenworth, Lewis, Livingston, Mastin, M'Junkin, Mitchell, Moore, Parker, Payne, Peyton, Pruett, Reid, Ribble, Roop, Ruddick, Shortridge, Skeen, Smith, Stanford, Steele, Wallace, Woodruff and Davis, Speaker—48.

So said resolution was decided in the negative.

Mr. Stanford moved to commit said bill to a committee of the whole House, for this day now;

Which motion did not prevail.

Mr. Vawter moved to re-commit the same to a select committee, with instruction to amend the same, so as to make the counties of Dearborn, Switzerland, Jefferson, Jennings, Ripley and Decatur, one Congressional district;

Which motion was decided in the negative.

Mr. Carter, of O, moved to re-commit the bill to a select committee, with instructions so to amend the same as to compose a congressional district of the counties of Orange, Crawford, Harrison, Floyd, Washington and Lawrence;

Which motion did not prevail.

Said bill was then ordered to be engrossed, and read a third time to-morrow.

Mr. Culley, from the select committee to which was referred the petition of John Godley and others, citizens of Dearborn county, praying the location of a State road therein named, reported a bill to establish a certain State road therein named;

Which was read the first time, and passed to a second reading.

On motion of Mr. Bell,

*Resolved*, That the Adjutant General be requested to lay before the committee on military affairs, all the papers touching the election held on the 4th day of July, 1832, in the 22d brigade, in the ninth division, commanded by Gen. Morgan, composed of the following regiments: the 52d, 65th, and 69th, situate in the counties of Madison, Hamilton, and Delaware.

Mr. Standford moved the following resolution:

*Resolved*, That a select committee, to consist of five members, be appointed to examine the situation of the house commonly called the Governor's House, in the town of Indianapolis, and circle or lot on which it is erected, and report to this House what future disposition of said house and lot, would in their opinion, best comport with the interest of the State of Indiana.

Mr. Hanna moved to amend the same by striking out the words

"select committee to consist of five members," and insert in lieu thereof "committee on public buildings;"

Which motion passed in the affirmative.

Said resolution as amended was then adopted.

Mr. Carter, of O., moved the following resolution :

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of so amending the act entitled, an act to regulate the mode of doing county business in the several counties in this State, approved January 19th, 1831, as to make it the duty of the boards doing county business in the several counties in the state of Indiana, on the first Monday in May 1833, and annually on the first Monday in May thereafter, to appoint as many constables in each township as there are justices of the peace within the same; and shall at the same time, appoint one inspector of elections for each township, two fence viewers, two overseers of the poor, and to appoint one supervisor of highways to each road district in the respective townships in their several counties; and the constables, inspectors, fence viewers and supervisors of highways, who have been duly elected according to the provisions in the said act, shall hold their respective offices until their successors are appointed by the boards doing county business in their respective counties, and report by bill or otherwise.

On motion of Mr. Ferguson of C.,

Said resolution was amended by striking out so much thereof as relates to constables—and,

On the question to adopt said resolution as amended,

It was decided in the negative.

Mr. Carter, of O., moved the following resolution:

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of so amending the law, as not to require the filing of any declaration in any suit brought in the circuit court hereafter, for the direct payment of money, or property, upon any account, promissory note, bill, bond, or other writings, obligatory for the direct payment of money or property. But in lieu of filing a formal declaration, the plaintiff shall file the account, promissory note, bill, bond, or other writing obligatory, on which he intends to rely, in the clerk's office, at least ten days before the sitting of the court at which term the case is set for trial. To which the defendant may plead in all respects as he could to a formal declaration, any law, usage, or custom of courts, to the contrary notwithstanding; and report by bill or otherwise.

On motion of Mr. Moore,

Said resolution was so amended as to direct the reference to a "select" instead of the "judiciary committee."



Mr. Howell moved to lay said resolution on the table;

Which motion was decided in the negative.

Mr. Bryant moved further to amend the same by adding thereto the following: "And that said committee enquire into the expediency of repealing all laws that authorizes any plea other than the general issue to be pleaded in any action at law in the circuit courts in this state."

Mr. Moore moved to amend said amendment by inserting after the words "general issue," these words, "with notice of any special matter of defence;"

Which was accepted by Mr. Bryant as a modification of his amendment, and

On the question to agree to said amendment as amended,

It was decided in the negative.

The question then recurring on the adoption of said resolution as amended,

It passed in the affirmative.

*Ordered*, That Messrs. Carter of O., Rariden and Wooden, be a committee in pursuance of said resolution.

On motion of Mr. Finch,

The certificates of election of the members of the House were referred to the committee of elections.

On motion of Mr. M'Junkin,

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of so amending the act entitled, "an act relative to crime and punishment," approved Feb. 10, 1831, as to provide that in all prosecutions by presentment or indictment, the defendant may plead the general issue, and give in evidence the special matter of justification.

On motion of Mr. Schoonover,

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of so amending the law prescribing the manner of empannelling the grand and petit jurors, as to make it the duty of the coroner to summon those jurors whenever the sheriff is a party in any cause then pending in the circuit court of the county where such pannels are to be returned.

Mr. Mitchell moved the following resolution:

*Resolved*, That the judiciary committee be instructed to enquire into the propriety of so amending the 35th section of the act regulating the jurisdiction and duties of justices of the peace, approved Feb. 10, 1831, that whenever a plaintiff or defendant, shall refuse upon oath to deny the truth of the accounts or claims of his opponent, that the party claiming shall have a right to swear to his own account, and that in no case shall either party prove his own



account, unless the opposite party shall deny the truth of it positively; and in all claims of book accounts, the original entries shall be required;

With leave to report by bill or otherwise.

Which was read, and

On motion of Mr. Palmer,

Laid on the table.

On motion of Mr. Edwards,

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of providing by law for imposing the costs of criminal prosecutions, which has been instituted without cause, upon the persons setting the same on foot;

With leave to report by bill or otherwise.

On motion of Mr. Huntington,

*Resolved*, That this House will proceed on to-morrow, (the Senate concurring therein,) to the election of Canal Commissioners, at half past 2 o'clock, P. M., and that the Senate be informed thereof, and that seats will be provided for them on the right of the Speaker's chair; and that is appointed teller on the part of this House.

Whereupon,

Mr. Reid was appointed teller on the part of the House.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Smith moved the following preamble and resolution:

WHEREAS it is provided by the twentieth section of the third article of the Constitution of this State, that "no person holding any office under the authority of the President of the United States, or of this State, (militia officers excepted,) shall be eligible to a seat in either branch of the General Assembly, unless he resign his office previous to his election."—And, whereas, Joseph Lowe, one of the members returned from Rush county, who has taken his seat in this House as a representative thereof, did hold a commission as justice of the peace in and for said county of Rush, under the authority of the Governor of this State, at the time of his, the said Lowe's, election:—

*Resolved*, therefore, that the committee of elections be instructed to enquire into the constitutionality of said Lowe's holding a seat in this House as such representative; and that said committee have power and authority to send for papers and persons, if deemed necessary, with a view to such investigation.

Which was read, and

On motion of Mr. Hannegan,

Laid on the table.

On motion of Mr. Crume,

The vote taken this day on the resolution on the subject of the election of Canal Commissioners, was re-considered.

On motion of Mr. Crume,

The same was amended by striking out the word "to-morrow" and inserting in lieu thereof "this day."

Said resolution as amended was then agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Davis, of Sh.,

*Resolved*, That the select committee on the Michigan road, be requested to enquire into the propriety of allowing Nathan Johnson and Nathaniel Teal, a reasonable sum for extra work done on each end of the bridge over Blue river, on said road, which sum shall be allowed out of the Michigan road fund;

With leave to report by bill or otherwise.

Mr. Shortridge moved to amend the same, by inserting after the words "on said road" the following: "if any necessary extra work was done;"

Which motion passed in the affirmative.

Said resolution as amended was then adopted.

On motion of Mr. Parker,

*Resolved*, That the committee of ways and means be requested to enquire into the expediency of amending the revenue law, so as to compel the person or persons applying for license to vend merchandize, to state to the board of county commissioners where he intends to vend merchandize, which place shall be named in the license; and to make it unlawful for such person or persons to vend merchandize at any other place, unless he shall first apply to the county commissioners to make the change in the license.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Heustis,

*Resolved*, That the committee on roads be instructed to enquire into the propriety of amending the present road law, section 54, so as to make it the duty of the county boards to allow the overseers of roads a reasonable compensation for putting up guide posts: also, that overseers of roads work two thirds or more of the labor allotted, before the first day of June in each year;

And report by bill or otherwise.

Mr. Edwards moved the following resolution:

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of so amending the laws relative to the manner of doing county business, that county agents and county treasurers be appointed by the circuit courts, and also that the circuit court have the granting of tavern and grocery license;

With leave to report by bill or otherwise.

Which was read, and

On the question to adopt the same,

It was decided in the negative.

On motion of Mr. Ferguson, of C.,

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of amending the law relative to the disposition of the estates of persons dying without any known heirs, or without having disposed of their estates by will, in whole or in part, so as to provide for the disposition of said estates, in case there shall not have been any letters testamentary, or of administration, taken out within a certain time;

With leave to report by bill or otherwise.

Mr. Rariden, after having obtained leave, presented a joint memorial of the General Assembly of the state of Indiana;

Which was read the first time and passed to a second reading.

Mr. Bryant, after having obtained leave, presented a bill to provide for appropriating the Wabash fund;

Which was read the first time, and passed to a second reading.

Mr. Steele, after having obtained leave, presented a bill to amend the road law, and for other purposes;

Which was read the first time, and passed to a second reading.

On motion of Mr. Bryant,

The several orders of the day which precede the engrossed bill for the benefit of persons who are likely to suffer by the destruction of the records of Parke county were for the present suspended, and the House proceeded to consider said bill.

The same was then read a third time, and

On motion of Mr. Bryant,

Recommitted to a select committee.

*Ordered*, That Messrs. Bryant, Sands, and Pruett, be that committee.

The House then proceeded to consider the orders of the day, and resumed the consideration of the bill to repeal an act entitled, "an act to prohibit the circulation of notes of a less denomination than \$5," undetermined at the adjournment of the House on the 17th inst.

The question was then put upon the motion of Mr. Palmer to commit said bill to the select committee, to which was referred so much of the Governor's message as relates to a State bank;

And decided in the negative.

And, on the question,

Shall the bill be engrossed, and read a third time to-morrow?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Bradley, Claypool, Cox, Crawford, Cristler, Crume, Daniel, Davenport, Davis of Sh., Edwards, English, Ferguson of C., Ferguson of U., Finch, Goodbar, Hamilton, Hanna, Hannegan, Henley, Lewis, Lowe, Mastin, M'Nary, Parker, Peyton, Rariden, Reid, Ribble, Roop, Ruddick, Sands, Skeen, Smith, Stanford, Steele, Vawter and Watt—39.

*And those who voted in the negative, are*

Messrs. Bonner, Boyd, Bryant, Buell, Carter of M. & C., Carter of O., Clark, Cravens, Culley, Dunn, Fowler, Hargrove, Heustis, Howell, Huntington, Lane, Levenworth, Livingston, M'Junkin, Mitchell, Moore, Osborn, Palmer, Parks, Payne, Proffit Pruett, Schoonover, Shortridge, Slaughter, Wallace, Wooden, Woodruff, and Davis, Speaker—33.

And so it was ordered that said bill be engrossed, and read a third time on to-morrow.

The bill to locate a State road from Greencastle in Putnam county, to Carlisle in Sullivan county, via Manhattan in Putnam county, and Bowlinggreen and New Brunswick, in Clay county, and

The bill changing the direction of the State road from Judge Lowrie's farm to Paris, in Illinois,

Which were severally read the second time, and ordered to be engrossed and read a third time to-morrow.

The bill appropriating a part of the 3 per cent. fund, and for other purposes,

Was read the second time, and committed to a committee of the whole house for to-morrow.

On motion of Mr. Steele,

The several orders of the day which precede the joint resolution on the subject of nullification, were for the present postponed, and the House proceeded to the consideration thereof.



On motion of Mr. Lane,

The committee of the whole House to which said joint resolution was committed, were discharged from the further consideration thereof.

Mr. Schoonover moved that the rules of the House be dispensed with, and that said joint resolution be considered as engrossed, and read a third time now.

Before the question was put thereon,

The said joint resolution was,

On motion of Mr. Proffit,

Amended, by adding thereto the following clause:

“And that a copy of this joint resolution be forwarded to the Governor of each State and Territory in the Union.”

Mr. Hanna moved to strike out from the first clause of the first resolve the following words—“when slumbering patriotism should awake;”

And the question being put,

The said joint resolution was so amended.

Mr. Hanna moved further to amend said joint resolution, by striking out from the second resolve, the following clause, to wit:

“That we hail the Unionists of South Carolina as patriots of the stamp of '76, and bid them hold steadily and firmly on their course.”

A motion was made by Mr. Daniel to postpone indefinitely the further consideration of said joint resolution and proposed amendment,

And decided in the negative.

The question recurred on the motion of Mr. Hanna to amend,

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bryant, Hanna, Mitchell, Moore, Payne, Rariden and Slaughter—7.

*And those who voted in the negative, are*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Buell, Carter of M. & C., Clark, Claypool, Cox, Cravens, Crawford, Cristler, Crume, Culley, Davenport, Davis of Sh., Dunn, Edwards, English, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hannegan, Hargrove, Henley, Heustis, Howell, Huntington, Lane, Levenworth, Lewis, Livingston, Lowe, Mastin, McKinkin, McNary, Osborn, Palmer, Parker, Parks, Peyton, Proffit, Prætt,

Reid, Ribble, Roop, Ruddick, Sands, Schoonover, Shortridge, Skeen, Smith, Stanford, Steele, Vawter Wallace, Watt, Wood-en, Woodruff and Davis, Speaker—63.

So said motion was decided in the negative.

The question then recurring on the motion of Mr. Schoonover, that said joint resolution be considered as engrossed and read the third time now,

It passed in the affirmative.

The said joint resolution was then read the third time,

And on the question, shall it pass?

The ayes and noes being requested by two members,

The House voted unanimously in the affirmative.

So said joint resolution passed.

*Ordered*, That the clerk inform the Senate thereof, and ask their concurrence.

The bill for the relief of John F. Jones, collector of Bartholomew county, was read the second time.

Mr. Ruddick moved that the rules of the House be dispensed with and said bill be considered as engrossed and read a third time, now.

Mr. Parker moved to commit said bill to a committee of the whole House for Friday next.

Mr. Vawter moved to lay said bill on the table.

Which motion did not prevail.

And on the question to commit the bill for Friday next,

It was decided in the negative.

The question recurred on the above motion of Mr. Ruddick; and being put,

It passed in the affirmative.

The said bill was then read the third time and passed.

*Ordered*, That it be entitled an act, and that the clerk carry it to the Senate, and ask their concurrence.

On motion of Mr. Henley,

The several orders of the day which precede the engrossed joint resolution relative to the extension of the Wabash and Erie canal were for the present postponed, and that joint resolution was considered:

The same was then read the third time and passed.

*Ordered*, That the clerk carry it to the Senate and ask their concurrence.

And then the House adjourned until to-morrow morning at 9 o'clock.

THURSDAY, DECEMBER 20, 1832.

The House met pursuant to adjournment.

Mr. Bradbury presented a petition of George Petro and others, praying for the location of a State road from Centreville in Wayne county, to the ford of Stony creek, where the State road leading from the town of Economy to Munceytown crosses the same;

Which was read and referred to the committee on roads.

On motion of Mr. Bradbury,

Mr. Stanford was added to the committee on roads during the investigation of the above subject.

Mr. Ruddick presented a petition of John Jones, confined in jail in Bartholomew county, charged with murder, praying a change of venue to Monroe county;

Which was read and referred to the committee on the judiciary.

Mr. Fowler presented a petition of William Jones and others, praying that a part of Shelby county may be attached to Decatur;

Which was read and referred to a select committee of Messrs. Fowler, Davis of Sh'y, and Boyd.

On motion of Mr. Moore,

Two petitions of citizens of Harrison county, praying that a part of said county be attached to the county of Floyd, and laid on the table on the 12th inst. were taken up, and

Referred to a select committee of Messrs. Moore, Payne, Daniel, Peyton and Slaughter.

Mr. Payne presented a remonstrance of Wm. G. Boon and others, against the prayer of the last named petitioners;

Which was read and referred to the same select committee.

On motion of Mr. Palmer,

Mr. Cravens was added to the select committee to which was referred the memorial of Solon Robinson.

Mr. Moore made the following report:

The judiciary committee, to which was referred the petition of Nancy Johnson, executrix, and M. W. Foster, executor of John Johnson, dec'd, and F. Johnson and Mary Johnson, heirs of the said John Johnson, praying for the passage of a special act of the legislature, providing for the sale of a certain tract of land for the reasons and purposes in said petition set forth, have had the same under their consideration, and are of opinion, that the present law makes provision for all that is asked for by the petitioners,

and therefore that it is unnecessary further to legislate on the subject;

Which was read and concurred in by the House.

Mr. Moore, from the judiciary committee to which was referred the petition of John Nash, praying to be divorced from his wife, reported, that in the opinion of said committee it is inexpedient to legislate on that subject;

Which was read and concurred in by the House.

Mr. Moore, from the same committee, to which was referred the petition of Thomas Montgomery and others, citizens of Gibson county, praying that the rate of interest on money be reduced to six per cent., reported, that inasmuch as a bill has been presented to this House on that subject, the committee ask to be discharged from the further consideration of said petition.

*Ordered*, That said committee be discharged accordingly.

Mr. Moore, from the committee on the judiciary to which was referred the petition of Thos. C. Stewart, praying a special act to authorize him to sell a certain lot in the town of Petersburg, reported that the committee have had the same under their consideration, and are of opinion that the present law makes all the provision necessary on that subject; therefore, ask to be discharged from the further consideration of said petition;

Which was read and concurred in by the House.

Mr. Wooden, from the committee on military affairs to which was referred the papers relative to an election held in the 22d Brigade, Indiana Militia, made the following report:

The committee on military affairs, had submitted to them, the several orders, and the election returns in relation to an election for Brigadier General in the 22d Brigade, Indiana Militia, and find the following facts:

1st. That the Commander-in-chief did by his order, dated 10th March last, and on file in the Adjutant Generals Office, set off the 52d, 56th and 69th regiments, as the 22d Brigade, Indiana Militia.

2d. That the Adjutant General, by order of the Commander-in-chief, directed an election to be holden in said Brigade, for the purpose of electing a Brigadier General, to command said Brigade, (the election to be holden on the 21st day of April, 1832 at which election John D. Stephens was elected, and commissioned on the 10th day of May, 1832, but it is found on examination of an act to organize and regulate the Militia of the State of Indiana, approved, February 10th, 1831, that the Commander-in-chief is not authorized to order elections for Brigadier Generals, and that his conduct in relation to the election aforesaid, is, and has been, without authority of law.

3d. That the said Brigade has been assigned by the Governor



and Commander-in-chief to the 9th Division, Indiana Militia, and placed under the command of Major General Amaziah Morgan, commander of that Division.

4th. That the said Major General did, by his Division Inspector, order an election to be holden in the said 22d Brigade, for a Brigadier General on the 4th day of July, 1832, and in pursuance of that order, an election was holden, and the returns of said election on file in the Adjutant General's Office, declares, or by those returns it appears, that John H. Cook had the highest number of votes, and was duly elected, but your committee is informed by the Adjutant General, that notwithstanding the said Cook has been legally elected Brigadier General of said 22d Brigade, and the returns made, yet no commission has or will issue for him; your committee therefore offer for adoption the following resolution:

*Resolved*, That His Excellency the Governor and Commander-in-chief has, by his order (through his Adjutant General) to hold an election, for Brigadier General in the 22d Brigade, Indiana Militia, acted without authority of law, and that John H. Cook having been duly elected Brigadier General of said Brigade ought to be commissioned as such, by the proper authority;

Which was read; and,

On motion of Mr. Rariden,

The said report and accompanying documents were re-committed to a committee of the whole House for to-morrow.

Mr. Bryant, from the select committee to which was re-committed the engrossed bill for the relief of persons who are likely to suffer by the destruction of the records of Parke county, reported the same with one amendment;

Which was read and concurred in by the House.

On motion of Mr. Bryant,

Said bill was considered as engrossed, (the rules of the House having first been dispensed with,) and read a third time and passed.

*Ordered*, That it be entitled an act, and that the clerk carry it to the Senate, and ask their concurrence.

Mr. Buell, from the select committee to which were referred the reports of the commissioners appointed to survey the boundary line between the counties of Vermillion and Warren, reported a bill to more permanently establish the boundary line between the counties of Vermillion and Warren;

Which was read the first time and passed to a second reading.

Mr. Cristler, from the select committee to which was referred a resolution of the House on that subject; reported a bill to amend

an act entitled "an act for the appointment of county surveyors and their deputies," approved, Feb. 4, 1831;

Which was read the first time and passed to a second reading.

Mr. Pruett, from the select committee to which was referred a resolution of the House on that subject, reported a bill for the relief of execution defendants;

Which was read the first time and passed to a second reading.

Mr. Wooden, from the select committee to which was referred the petition of Bartlett Asher and others, praying a change in the line dividing the counties of Owen and Putnam; reported a bill altering the line dividing the counties of Owen and Putnam;

Which was read the first time and passed to a second reading.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate has instructed me to inform the House of Representatives, that a joint resolution relative to the extension of the Wabash and Erie canal, which originated in this House, has been indefinitely postponed.

Mr. Smith moved to take up a preamble and resolution offered by himself on yesterday, and laid on the table, relative to the constitutionality of Joseph Lowe, a member elect from the county of Rush, retaining a seat as a member of this General Assembly; and,

On the question to take up said preamble and resolution,  
It was decided in the negative.

On motion of Mr. Wallace,

*Resolved*, That the Auditor of Public Accounts be requested to furnish for the use of this House, a list of the number of acres of first, second and third rate land, in the several counties in this State, also the number of polls returned to him from the several counties as aforesaid.

On motion of Mr. M'Nary,

The resolution moved by him upon the subject of allowing credit on execution sales, where the judgment has not been replevied, for a time equal to that for which such judgment might have been replevied, and laid on the table on the 14th inst. was taken up;

And on the question to adopt the same,  
It was decided in the negative.

Mr. Payne moved the following resolution:

*Resolved*, That the committee on the judiciary be instructed to

enquire into the expediency of so amending the act regulating the practice in suits at law, as to require that every applicant for a continuance, in any suit pending in any court of record of this State, his agent, attorney or counsel, or the witness said applicant relies upon, shall be sworn, examined and cross examined, as to all matters touching said application, and his testimony may be rebutted; and if the continuance be granted, the clerk of such court shall enter on the order book, a minute of the cause of granting the same, and that said committee report by bill or otherwise;

And, on the question to adopt said resolution,  
It was decided in the negative.

On motion of Mr. Palmer,

The resolution offered by Mr. Mitchell and laid on the table on the 19th inst., on the subject of authorizing a party before justices of the peace, in certain cases, to swear to his own account, and to require the production of the original entries where suit is brought upon a book account, was taken up.

On motion of Mr. Palmer,

The same was amended by adding thereto the following: "and whether it may not be expedient to authorize either party in any such suit, to produce on said trial their account book of entries, making such book when so sworn to, evidence of the sale and delivery of the goods or property, or the services rendered, leaving the price or value to the court or jury, who may try the same."

On motion of Mr. Dunn,

The same was further amended by inserting after the clause requiring the production of the original books of entries, the following: "if the debt shall have been contracted in the county where suit is brought;

Said resolution as amended was then agreed to by the House.

Mr. Hanna moved the following resolution:

*Resolved*, That a select committee be appointed to enquire into the expediency of preparing and reporting a memorial to Congress, asking an appropriation of a portion of the public lands, to which the title of the Potawatomie Indians has recently been extinguished in Indiana, to be employed in the construction of a Road from Lafayette on the Wabash to the mouth of Trail creek on Lake Michigan, and that an experienced engineer be detailed from the engineer corps of the United States, to make a survey, and estimate the expenses of constructing said road.

On motion of Mr. Buell,

The same was amended by striking out the words "Trail creek," and inserting in lieu thereof the words "Des Chemins."

And on the question to adopt said resolution, as amended,

It was decided in the negative.

On motion of Mr. Sands,

*Resolved*, That the committee on military affairs be instructed to enquire into the expediency of so amending the militia law as to make it the duty of the Pay Master, or some officer of the courts of assessment and appeals to receive and receipt for such fines as may be assessed or confirmed by them, if tendered during the term of said court.

*It is further resolved*, That said committee enquire into the expediency of so amending the militia law as to allow an appeal from the decision of the court of appeals, to the Brigadier or Major General of the Brigade or Division, where such appeal is required under such provisions as said committee may deem proper.

On motion of Mr. Proffit,

*Resolved*, That the judiacary committee be instructed to enquire if any, and what change is necessary to the 26th section of probate law, relative to decedents estates,

With leave to report by bill or otherwise.

On motion of Mr. Buell,

*Resolved*, That the committee on military affairs enquire into the expediency of allowing the constable collecting military fines a further compensation, where such collections are made by distress and sale.

On motion of Mr. Palmer,

*Resolved*. That unless otherwise directed, this House will, at 3 o'clock P. M. on each day, go into the consideration of bills ordered for a third reading.

On motion of Mr. Payne,

*Resolved*, That the judiciary committee be instructed to enquire whether any, and if any, what amendments are necessary to be made to the law regulating descents, distribution and dower, to secure to the widows of testators, the same rights in the real and personal estate of their deceased husbands, as are secured to the widows of intestates, except where such widows may have accepted of devises or legacies made to them in lieu or satisfaction of dower.

On motion of Mr. Wooden,

*Resolved*, That the Canal Fund Commissioners be requested to report to this House the amount of canal funds in their hands, and the amount loaned, to whom loaned, with their securities.

On motion of Mr. Vawter,

The vote taken this day on the question to adopt the resolution, moved by Mr. Hanna on the subject of memorializing Congress for a grant of land, to aid in constructing a rail road from Lafayette to the mouth of Des Chemins, was re-considered.



On motion of Mr. Lewis,

Said resolution was further amended, so as merely to direct the committee to enquire into the expediency of reporting such a memorial.

The said resolution as amended was then adopted.

*Ordered*, That Messrs. Hanna, Finch and Crawford be a committee in pursuance thereof.

Mr. McNary moved to take up the resolution heretofore laid on the table relative to the exemption of certain property from execution;

Which motion did not prevail.

On motion of Mr. Davenport,

*Resolved*, That the committee on military affairs, be instructed to enquire into the expediency of setting off the militia of Boone county as a separate Regiment, with authority to organize six companies, of 25 men each,

With leave to report by bill or otherwise.

On motion of Mr. Profit,

*Resolved*, That the committee on roads be instructed to enquire into the expediency of memorializing Congress, asking a grant of land or money, to be appropriated to the opening of a new mail route from New Albany to St. Louis. Said road not to cross Whith river in this State.

Mr. Davis of Sh'y moved the following resolution:

*Resolved*, That the committee on roads be instructed to enquire into the expediency of appropriating eight hundred dollars, over and above the appropriation made in the several counties, on that part of the Brookville State road, that lies between Rushville, in Rush county, and Indianapolis; and the Agent of the three per cent. fund shall pay, when all the sums in the several counties have been paid on the general appropriation bill, passed this session, with leave to report by bill or otherwise.

And on the question to adopt the same,

It was decided in the negative.

On motion of Mr. Profit,

The engrossed joint resolution from the Senate requesting the Governor of Indiana, to communicate with the Governor of Ohio, relative to the extension of the Wabash and Erie canal, heretofore laid on the table, was taken up.

The rules of the House were then dispensed with, and the said joint resolution was read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Rariden, after having obtained leave, presented a bill to vacate a part of the town of Centreville, in Wayne county. Indiana;

Which was read the first time and passed to a second reading.

Mr. Daniel, in pursuance of notice heretofore given, after having obtained leave, presented a bill to incorporate the county Seminary of Posey and for other purposes;

Which was read the first time and passed to a second reading.

Mr. Slaughter, after having obtained leave, presented a bill for the relief of Thomas Speed;

Which was read the first time and passed to a second reading.

Mr. Sands, after having obtained leave, presented a bill to amend an act entitled "an act to regulate the mode of doing county business in the several counties in this State," approved, January 19, 1831;

Which was read the first time and passed to a second reading.

Mr. Skeen, after having obtained leave, presented a bill to repeal an act entitled "an act to raise additional revenue for the county of Ripley;"

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day, and

Resumed the consideration of the joint resolution of the General Assembly of the State of Indiana, relative to public lands, depending at the last adjournment,

A motion was made by Mr. Proffit to commit it to a committee of the whole House for to-morrow,

And decided in the negative.

On motion of Mr. Wooden,

The said joint resolution was amended by including "White river" in addition to the "Wabash" as an object for special appropriations asked of Congress, out of the funds arising from the public lands.

Mr. Proffit moved further to amend the same by inserting the words "to actual settlers," after the clause asking a reduction of the price of the lands.

Mr. Huntington moved that the further consideration of said joint resolution and proposed amendment be indefinitely postponed.

Before a decision was had thereon,

The House adjourned until 2 o'clock, P. M.

*2 o'clock P. M.*

The House met pursuant to adjournment,

And resumed the consideration of the joint resolution of the General Assembly of the State of Indiana on the subject of public lands.

The question recurred on the motion of Mr. Huntington to postpone indefinitely;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Bryant, Cravens, Dunn, Ferguson of C., Huntington, Lewis, Moore, Osborn, Reid, Schoonover, and Smith—12.

*And those who voted in the negative are,*

Messrs. Boyd, Bradbury, Bradley, Buell, Carter of M. & C., Carter of O., Clark, Claypool, Cox, Crawford, Cristler, Crume, Culley, Daniel, Davenport, Davis of Sh'y, Edwards, English, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hanna, Hannegan, Hargrove, Henley, Heustis, Howell, Lane, Levenworth, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Palmer, Parker, Parks, Payne, Peyton, Proffit, Prucett, Rariden, Ribble, Roop, Ruddick, Sands, Shortridge, Skeen, Slaughter, Stanford, Steele, Vawter, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—60.

So said motion was decided in the negative.

Mr. Ferguson of C. moved to amend the amendment proposed by Mr. Proffit, (depending at the last adjournment,) by adding thereto the following:

"In limited parcels, at a price barely sufficient to reimburse to the United States, the expense of the present system, and cost arising under the Indian compacts."

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Bradbury, Carter of O. Cravens, Crawford, Dunn, English, Ferguson of C., Hamilton, Hanna, Henley, Levenworth, Lewis, Lowe, Moore, Parker, Payne, Proffit, Rariden, Reid, Roop, Ruddick, Skeen, Smith, Steele, Vawter and Davis. Sp'k—27.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradley, Bryant, Buell, Carter of M. & C. Clark, Claypool, Cox, Cristler, Crume, Culley, Daniel, Davenport, Davis of Sh'y, Edwards, Ferguson, of U., Finch, Fowler, Goodbar, Hannegan, Hargrove, Heustis, Howell, Huntington,



Lane, Livingston, Mastin, M'Junkin, M'Nary, Mitchell, Osborn, Palmer, Parks, Peytor, Pruett, Ribble, Sands, Schoonover, Shortridge, Slaughter, Stanford, Wallace, Watt, Wooden and Woodruff—46.

So said motion to amend was decided in the negative.

The question the recurred on the said amendment proposed by Mr. Proffit.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Bryant, Buell, Carter of M. & C., Claypool, Cravens, Crawford, Daniel, Davenport, Dunn, Edwards, Ferguson of C., Hanna, Hannegan, Henley, Levenworth, Lewis, Lowe, Moore, Osborn, Payne, Proffit, Rariden, Reid, Roop, Ruddick, Shortridge, Skeen, Smith, Steele, Vawter and Watt—32.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Bradley, Carter of O., Clark, Cox, Cristler, Crume, Culley, Davis of S., English, Ferguson, of U., Finch, Fowler, Goodbar, Hamilton, Hargrove, Heustis, Howell, Huntington, Lane, Livingston, Mastin, M'Junkin, M'Nary, Mitchell, Palmer, Parker, Parks, Peyton, Pruett, Ribble, Sands, Schoonover, Slaughter, Stanford, Wallace, Wooden, Woodruff and Davis, Speaker—41.

So said motion to amend was decided in the negative.

Mr. Rariden moved further to amend said joint resolution by adding the following as an additional resolve, viz:

*Be it further resolved,* That our Senators be instructed and our Representatives requested to use their influence, to procure the passage of a law, granting to each State, in which lands of the United States are situate, a fixed per cent. out of the proceeds of sales of public lands, sold within such State, over and above the five per cent. now received in lieu of taxation, until some other disposition shall be made of the lands of the United States, within the limits of the States, to be appropriated to purposes of education and internal improvements within such States."

Mr. Crume moved to amend said amendment by inserting therein after the word "taxation," these words "if such fixed per cent. can be had without a distribution of the residue."

And the ayes and noes being requested thereon, by two members:



*Those who voted in the affirmative are,*

Messrs. Boyd, Bradley, Carter of O., Clark, Cox, Cristler, Crume, Culley, English, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hannegan, Henley, Heustis, Howell, Lane, Lowe, Mastin, Mitchell, Palmer, Parker, Parks, Sands, Slaughter, Steele, Wallace, Watt, Wooden and Davis, Speaker—32.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Bradbury, Bryant, Buell, Carter of M. & C., Claypool, Cravens, Crawford, Daniel, Davenport, Davis of Sh., Dunn, Edwards, Ferguson of C., Hanna, Hargrove, Huntington, Levenworth, Lewis, Livingston, M'Junkin, Moore, Osborn, Payne, Peyton, Proffit, Pruett, Rariden, Reid, Ribble, Roop, Ruddick, Schoonover, Shortridge, Skeen, Smith, Stanford, Vawter and Woodruff—41.

And so said motion was decided in the negative.

The question recurring on the amendment proposed by Mr. Rariden.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Bradbury, Bryant, Buell, Carter of M. & C., Claypool, Cravens, Crawford, Cristler, Crume, Culley, Davenport, Dunn, Edwards, Ferguson of C., Ferguson of U., Fowler, Hamilton, Hanna, Hannegan, Hargrove, Heustis, Huntington, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Junkin, Moore, Osborn, Payne, Peyton, Proffit, Pruett, Rariden, Reid, Ribble, Roop, Ruddick, Shortridge, Skeen, Smith, Stanford, Steele, Vawter, Watt and Woodruff—49.

*And those who voted in the negative, are*

Messrs. Boyd, Bradley, Carter of O., Clark, Cox, Daniel, Davis of Sh., English, Finch, Goodbar, Henley, Howell, Lane, Mitchell, Palmer, Parker, Parks, Sands, Schoonover, Slaughter, Wallace, Wooden and Davis, Speaker—23.

So said motion to amend was carried in the affirmative.

Mr. Dunn moved further to amend the joint resolution by inserting before the word "lands" (a reduction of the price of which is asked) the word "refuse."

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bonner, Boyd, Bradbury, Buell, Carter of M. & C., Claypool, Cox, Cravens, Daniel, Davenport, Davis of Sh., Dunn, Edwards, English, Ferguson of C, Henley, Heustis, Huntington, Levenworth, Lewis, Livingston, Moore, Parker, Payne, Rariden, Reid, Roop, Ruddick, Schoonover, Skeen, Smith, Vawter and Watt—33.

*And those who voted in the negative, are*

Messrs. Bell, Bradley, Bryant, Clark, Crawford, Cristler, Crume, Culley, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hanna, Hannegan, Hargrove, Howell, Lane, Lowe, Mastin, M. Junkin, Mitchell, Osborn, Palmer, Parks, Peyton, Proffit, Ribble, Sands, Shortridge, Slaughter, Stanford, Steele, Wallace, Wooden, Woodruff and Davis, Speaker—37.

So said motion was decided in the negative.

On motion of Mr. Culley,

The word "reduction" in the clause of said joint resolution last above named was stricken out, and the word "graduation" inserted in its place.

Mr. Crume moved further to amend said join resolution so as to make "White Water river" an additional object for the special appropriation asked.

Mr. Daniel moved to amend said proposed amendment by including "Snake run" as an additional object for such appropriation; Which motion was decided in the negative.

The question recurred on the amendment moved by Mr. Crume, and being put,

Was decided in the negative.

Mr. Culley moved further to amend the joint resolution, by including the "Michigan road," as one of the objects for such appropriation;

Which motion did not prevail.

Mr. Ribble moved further to amend said joint resolution so as to make the "Mississinewa river" an additional object for the above mentionianed appropriation; and

Pending the question thereon,

The House adjourned until to-morrow morning at 9 o'clock.

FRIDAY, DECEMBER 21, 1832.

The House met pursuant to adjournment.

The Speaker laid before the House the following communication from the Agent of the 3 per cent. fund:

AGENTS OFFICE, }  
December 21, 1832. }

HON. JOHN W. DAVIS,

Sir,—Please lay the inclosed report before the House of Representatives.

Respectfully,

B. I. BLYTHE, Ag't 3 per ct. Fund.

In obedience to a resolution of the House of Representatives, requiring me to make a full statement of the amount of 3 per cent. fund appropriated, I would refer you to my annual report, which makes the amount \$147,136 08-100. The original appropriation was made to twenty-two roads, but were afterwards increased to thirty, and the funds applied to them was taken from the first appropriation. It will be impossible for me to make out the sums expended by the Commissioners in each county, as the law required them to make all parts of their respective roads equally good. I can then, only give you the number of the original roads, naming the counties through which they severally pass, together with the appropriation to each. I will also give you the list of roads since formed, naming the counties through which they pass, and the amount of subsequent appropriations to each, together with sums appropriated to rivers; and lastly, I will state the amount appropriated to all the counties in the State under the act of 1831.

No. of Road.	Starting point and termination of Road, Counties through which it runs.	Appropriations.
2	Evansville to Terre Haute through Vanderburgh, Gibson, Knox, Sullivan and part of Vigo	\$9536 56

3	Wabash to Petersburg through Gibson and part of Pike	2996 22
4	Springfield to Princeton through Posey and part of Pike	2997 11
5	Boonville to Petersburg through part of Warrick and part of Pike	3405 90
6	Petersburgh to Indianapolis through part of Pike, Daviess, Greer, Owen, Morgan and part of Marion	6811 83
7	Rockport to Bloomington through Spencer, Dubois, Martin, and part of Monroe	5255 37
8	Horse-Shoe bend to Indianapolis	8174 16
9	Mauks' ferry to Indianapolis through Harrison, Washington, Jackson, Bartholomew, Johnson, and part of Marion	8988 76
10	New Albany to Bono through Floyd, Washington and part of Lawrence	3218 30
11	New Albany to Vincennes through Floyd, Harrison, Orange, Martin, Daviess and part of Knox	5644 73
12	Jeffersonville to Fleenors through part of Clark and Floyd and Washington	2745 12
13	M'Donald's ferry to Brownston through Clark, Scott and part of Jackson	3250 80
14	Bethlehem to Muscatituck through Clark, Scott and part of Jackson	3033 80
15	Madison to Indianapolis through Jefferson, Jennings, Bartholomew, Johnson and part of Marion	6357 12
16	Vevay to Versailles through Switzerland and part of Ripley	3166 62
17	Lawrenceburgh to Indianapolis through Dearborn, Ripley, Decatur, Shelby, and part of Marion	6333 33
18	Brookville to Indianapolis through Franklin, Rush, Shelby, and part of Marion	4362 44
19	Connersville to Indianapolis through Union, Fayette, Rush, Shelby and part of Marion	4249 32
20	Connersville to Indianapolis through Wayne, Henry, Hancock and part of Marion	4192 75
21	Winchester to Indianapolis through Randolph, Delaware, Madison, Hamilton, and part of Marion	2672 56
22	Indianapolis to Terre Haute through part of Marion, Hendricks, Putnam, Parke and part of Vigo	1375 13
23	Rising Sun to Versailles through Dearborn and part of Ripley	1000 00

Original appropriation

\$99767 91



(The Wabash fund and appropriations to roads number 24, 26, 27, 28, 29, 32 and 33 was taken from the original appropriation.)

30	Indianapolis to Fort Wayne through part Marion, Hamilton, Madison, Adams, and part of Allen	550 00
31	William Polke (special appropriation)	114 00
34	Yellow Bank to Princeton through Spencer, Warrick and part of Gibson	50 00
35	Indianapolis to State line in the direction of Chicago through part of Marion, Hendricks, Montgomery, Fountain, and Warren	1240 00
36	New Castle to Lafayette through part of Henry, Madison, Hamilton, Boon, Clinton and part of Tippecanoe	1149 00
37	Indianapolis to Montezuma through part of Marion, Hendricks, Putnam, and Parke	800 00
38	Indianapolis to Lafayette through part of Marion, Boon, Clinton and part Tippecanoe	1000 00
39	Rushville to Lawrenceburgh through part of Rush, Franklin, and Dearborn	100 00
40	New Albany to Princeton through Crawford, Dubois, Pike and part of Gibson	300 30
41	State line near Abington to Connersville through Wayne and part of Fayette	50 00
42	Fort Wayne to State line through part of Allen	250 00
43	Crawfordsville to State line through part of Montgomery, Fountain and Vermillion	500 00
44	Illinois line to Greesburgh through Vermillion, Parke, Putnam, Morgan, Johnson, Shelby, and Decatur	1000 00
45	Bono to Lafayette though Lawrence, Monroe, Owen, Putnam, Montgomery, and Tippecanoe	1500 00
46	Insection of New Castle and Michigan roads to Delphi through Clinton and Carroll	200 00
47	Greencastle to Springfield through Putnam, Parke and Vermillion	500 00
48	Richmond to Logansport through Wayne, Randolph, Delaware, Madison and part of Cass	1000 00
49	New Castle to Crawfordsville through Henry, Madison, Hamilton, Boone and Montgomery	800 00
50	Terre Haute to Crawfordsville through Vigo, Parke and Montgomery	500 00
51	Shelbyville to Andersonstown through Shelby, Hancock and Madison	750 00
52	Lafayette to Fort Wayne through Tippecanoe.	

	Carroll, Cass and Allen	1500 00
53	G. Clines to Lawrenceburgh State road through Franklin and Decatur	100 00
54	Rushville to Dubois' mill through Rush, Fayette and Union	100 00
55	Mount Vernon to Collins' ferry through Posey	125 00
56	Bridge over Fall creek, Marion county	300 00

## RIVERS.

1	Lost River through Orange and Martin	300 00
2	Salt creek do. Monroe and Lawrence	200 00
3	Muscatetuck do. Johnson and Jennings	300 00
4	White Water do. Franklin and Dearborn	200 00
5	do. do. do. do. Fayette	225 00
6	do. do. do. do. Union	175 00
7	Big creek do. Posey	100 00
8	Patoka do. Dubois and Pike	100 00
9	Eel river do. Clay, Owen and Green	300 00
10	Bueseron creek through Sullivan	150 00
	Appropriation of 1831 to 69 counties	27690 00

B. I. BLYTHE, Ag't 3 per ct. Fund.

Which was read, and

On motion of Mr. Proffit,

*Ordered*, That three hundred copies of said report be printed for the use of the members of this House.

The House proceeded to consider the following message received from the Senate on yesterday, by Mr. Morris, their assistant secretary.

MR. SPEAKER,

The Senate has passed an engrossed bill entitled "an act to provide for dividing the State into seven Congressional districts;" and,

An engrossed bill entitled an act to amend the act entitled an act regulating the jurisdiction and duties of justices of the peace, approved, February 10th, 1831;

In which bills, I am instructed to ask the concurrence of the House of Representatives.

The bill first named in said message, was read the first time.

Mr. Henley moved to dispense with the rules of House, and that it be read a second time, now;

Which motion was decided in the negative.

*Ordered*, That said bill do pass to a second reading on to-morrow.

The bill last named in said message, was read the first time and passed to a second reading.

Mr. Payne presented a communication from William Gusham, on the subject of the remonstrance against attaching a part of Harrison county to Floyd;

Which was read and referred to the same select committee to which were referred sundry petitions and remonstrances on the same subject.

Mr. Dunn presented a petition of Joshua Haines and others, citizens of the Rising Sun, Indiana, praying an act, to incorporate an insurance company, in said town;

Which was read and referred to a select committee of Messrs. Dunn, Cravens and Bradley.

Mr. Levenworth presented a petition of Wm. R. Reynolds and others, citizens of Crawford and other counties, praying the passage of a law establishing a State road from the town of Levenworth, to Mount Pleasant in Martin county, and State road from Levenworth to Jasper in Dubois county;

Which was read and referred to the committee on roads.

Mr. Osborn presented a petition of Edward Williams and others, citizens, principally of Vermillion county, praying the appointment of other commissioners "to locate a State road from Indianapolis via Montezuma to the line between this State and Illinois, in place of commissioners appointed at the last session of the General Assembly, by an act to establish a road as above stated, also against any alteration in the location of said road, other than what is contemplated in the above recited act;

Which was read and referred to the committee on roads.

Mr. Proffit from the select committee to which was referred so much of the Governor's message as relates to Indian treaties, with instructions to report a memorial to Congress, reported a joint memorial on the subject of a treaty with the Miami nation;

Which was read the first time and passed to a second reading.

Mr. Palmer from the select committee to which was referred, the memorial of Solon Robinson, and the petition of John Boner, reported a bill to amend an act entitled "an act for the relief of John Boner of Jennings county;"

Which was read the first time, and passed to a second reading.

On motion of Mr. Ferguson of C.,

*Resolved*, That the committee of ways and means be requested to enquire into the expediency of so amending the act for assessing and collecting the revenue, as to authorize and require the lister of any township, in which the owner of any lands may



reside, to list all the lands which he may own, in any township in the county.

On motion of Mr. Ferguson of C.,

*Resolved*, That the committee of ways and means be instructed to enquire into the expediency of amending the act entitled an act for assessing and collecting the revenue, as follows: 1st. To authorize any person whose tract or tracts of land is divided by the line of any two counties, to have the same assessed in the county in which he or she shall reside. 2d. To empower the collector, to collect the tax on stud horses, at any time after the assessment of the same. 3rd. To authorize the collector to take affidavits in cases of illegal assessments.

Mr. M'Nary moved to take up a resolution offered by Mr. Daniel and laid on the table, on the 12th inst. on the subject of exempting certain property from execution, and the abolition of imprisonment for debt;

Which motion was decided in the negative.

Mr. Finch after having obtained leave presented a bill to legalize the proceedings of the commissioner, appointed to make and locate a State road from the town of Lagrange to Logansport;

Which was read the first and second times, (the rules of the House having first been dispensed with,) and,

*Ordered* to be engrossed and read a third time on to morrow.

The House then proceeded to consider the orders of the day, and

Resumed the consideration of the engrossed joint resolution, of the General Assembly of the State of Indiana, on the subject of public lands, undetermined at the last adjournment.

The question recurring on the amendment proposed thereto by Mr. Ribble, and depending at the last adjournment;

It was decided in the negative.

Mr. Lewis moved further to amend the same, by striking out, after the word "State" in that clause of the 3d resolve relating to lands to be donated to actual indigent settlers, these words, "which may have been offered for sale, ten years or upwards";

Mr. Palmer moved to amend said amendment by inserting in lieu of the words proposed to be stricken out, these words, "which may have been offered for sale, five years or upwards."

A division of the question being called for.

It was put on striking out.



And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Bradley, Buell, Carter of O., Cox, Crawford, Cristler, Crume, English, Ferguson of U., Lewis, Lowe, Mitchell, Palmer, Parker, Parks, Proffit, Pruett, Rariden, Ribble, Shortridge, Stanford, Steele and Watt—24.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Bryant, Carter of M. & C., Clark, Claypool, Cravens, Culley, Daniel, Davenport, Davis of Shy, Dunn, Edwards, Ferguson of C., Finch, Fowler, Goodbar, Hamilton, Hanna, Hannegan, Hargrove, Heustis, Howell, Huntington, Lane, Levenworth, Livingston, Mastin, M'Junkin, M'Nary, Moore, Osborn, Payne, Peyton, Reid, Roop, Ruddick, Sands, Schoonover, Skeen, Slaughter, Smith, Vawter, Wallace, Woodruff and Davis, Speaker—16.

So said motion was decided in the negative.

Mr. Mitchell moved to amend the said joint resolution, by adding the following proviso, at the end of the third resolve:

*“Provided, That nothing herein contained, shall be considered as an expression of this General Assembly, in favor of vesting a right to a dividend of the sales of the public lands, in the several States, not holding public lands in their limits.”*

Mr. Parker moved to postpone the further consideration of said joint resolution and proposed amendment, until the 1st Monday in August next.

Debate arising thereon, the previous question was called for by Mr. Parker and seconded by two members, and was thereupon put, to wit:

Shall the main question be now put?

The ayes and noes being requested on said previous question by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Boyd, Bradbury, Bradley, Buell, Carter of M. & C. Claypool, Daniel, Davenport, Dunn, Edwards, Ferguson of C., Goodbar, Hanna, Hannegan, Levenworth, Lewis, M'Junkin, Osborn, Parker, Rariden, Reid, Roop, Ruddick, Shortridge, Skeen, Smith, Stanford and Woodruff—29.

*And those who voted in the negative, are*

Messrs. Bryant, Carter of O., Clark, Cox, Cravens, Crawford, Cristler, Crume, Culley, Davis of Sh., English, Ferguson of U., Finch, Fowler, Hamilton, Hargrove, Henley, Heustis, Howell, Huntington, Lane, Livingston, Lowe, Mastin, M'Nary, Mitchell, Moore, Palmer, Parks, Payne, Peyton, Proffit, Pruett, Sands, Schoonover, Slaughter, Steele, Vawter Wallace, Watt, Wooden and Davis, Speaker—42.

So said previous question was decided in the negative.

The bill to locate a State road from where the Michigan road crosses Yellow river, by the way of the county seat of Laporte county, to the mouth of Trail creek; and

The bill to locate a State road from Martinsville in Morgan county, by the way of Cox's mill and Solomon Dungan's in said Morgan county to Stilesville in the county of Hendricks;

Were severally read the second time, and

*Ordered* to be engrossed and read a third time on to-morrow.

The bill to provide for the disposition of the surplus portion of the three per cent. fund, remaining unexpended in the hands of any commissioner;

Was read the second time, and

On motion of Mr. Palmer;

Committed to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed bill from the Senate, to amend an act to appropriate part of the three per cent. fund, and for other purposes, approved, Feb. 10th, 1831,

Was read a second time, and

*Ordered* to be read a third time on to-morrow.

The engrossed memorial and joint resolution of the General Assembly, of the State of Indiana, from the Senate, soliciting Congress to appropriate land or money, sufficient to improve the navigation of the Wabash and White rivers;

Was read the second time, and

On motion of Mr. Hanna,

It was committed to the same select committee to which was referred a resolution of the House on the subject of a rail road from Lafayette to the mouth of Des Chemins on Lake Michigan.

The bill for the better regulation of towns, was read the second time.

Mr. Daniel moved to commit the same to a committee of the whole House for to-morrow;

Which motion was decided in the negative.

Mr. Bryant moved to fill the blank in that part of said bill which relates to the number of families a town must contain to make the act therein named penal, viz: the exhibition of stud horses for parade, with the number 100, 20, 10, 3, and 1, were also severally named.

The question was put on filling the blank with the No. 100, and,

Was decided in the negative.

It was then put on the blank with the No. 20;

Which did not prevail.

And on the question to fill said blank with the No. 10;

It passed in the affirmative.

Mr. Crume moved to strike out the first section of said bill;

Which motion was carried in the affirmative.

Mr. Daniel moved to postpone the further consideration thereof indefinitely.

Mr. Schoonover moved to lay said bill on the table;

Which motion was decided in the negative.

The question recurring on the motion of Mr. Daniel, to indefinitely postpone the same;

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Bryant, Crawford, Cristler, Daniel, English, Moore, Osborn, Palmer, Parker, Reid, Ruddick, Smith and Wood—14.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Bradbury, Bradley, Buell, Carter of M. & C. Carter of O., Clark, Claypool, Cox, Cravens, Crume, Culley, Davenport, Davis of Sh'y, Dunn, Edwards, Ferguson of C., Ferguson, of U., Finch, Fowler, Goodbar, Hamilton, Hanna, Hannegan, Hargrove, Henley, Heustis, Howell, Huntington, Lane, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Parks, Payne, Peyton, Proffit, Pruett, Rariden, Roop, Sands, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Steele, Vawter, Wallace, Watt, Woodruff and Davis, Sp'k—59.

So said motion did not prevail.

And the House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House met pursuant to adjournment,

And resumed the consideration of the bill for the better regulation of towns, which was depending at the last adjournment.

Mr. Curme moved to amend the second section of said bill, by striking out the word "such," before the word "town," and insert in lieu thereof, the word "any;"

Which motion passed in the affirmative; and,

On motion of Mr. Payne,

The bill was further amended, by inserting before the word "town" aforesaid, the word "recorded."

Mr. Payne moved further to amend the same, by striking out the word "aforesaid" after the said word "town."

Pending the question thereon, it was,

On motion of Mr. Vawter,

*Ordered*, That said bill be committed to a select committee, with instructions to amend it, so as to make its several parts harmonize.

Whereupon,

Messrs. Vawter, Payne and Claypool, were appointed that committee.

The bill to amend an act entitled "an act for opening and repairing public roads and highways;

The bill to locate a State road from Martinsville, in Morgan county, to intersect the State road leading from Madison to Indianapolis at Edinburgh, in Johnson county, by the way of Morgantown, in said Morgan county;

The joint resolution relative to the public ferry at Indianapolis; and

The joint memorial, asking relief to William Warren;

Were severally read the second time, and

*Ordered* to be engrossed and read a third to-morrow.

The joint resolution on the subject of a rail road from the Mississippi river to the city of Washington,

Was read the second time.

On motion of Mr. M Junkin,

The preamble to the same was amended, by striking out the word "House" after the clause referring to certain documents,



communicated by the Governor, and inserting in lieu thereof the words "General Assembly."

The said resolution was then,

*Ordered to be engrossed and read a third time on to-morrow.*

The engrossed bill from the Senate to amend an act authorizing domestic attachments, and regulating the proceedings thereon,

Was read a second time, and,

*Ordered to be read a third time on to-morrow.*

The engrossed joint resolution from the Senate to procure appropriations to construct a safe harbor, and to erect a Light House at the mouth of the Des Chemins on Lake Michigan,

Was read the second time.

A motion was made by Mr. Vawter, to strike out the word "Des Chemins" wherever it occurs, and to insert in lieu of it, the words "Trail creek,"

Which did not prevail.

It was then,

*Ordered, That said joint resolution be read a third on to-morrow.*

The bill organizing the 8th judicial circuit, and fixing the times of holding courts therein,

Was read the second time and committed to a committee of the whole House for to-morrow.

The bill to authorize the Spencer circuit court to change the venue, in a certain case therein named,

Was read the second time, and

On motion of Mr. Rariden,

Said bill was committed to the judiciary committee, with instructions to report a bill making general provisions for changing the venue, in criminal cases.

The memorial and joint resolution on military affairs,

Was read the second time.

Mr. Steele moved to amend said memorial by adding the following as an additional resolution:

*And be it further resolved, That the General Assembly of Indiana, are convinced from past experience, that any system which can be devised by them, would be wholly inadequate and insufficient to produce that harmony of action and practical knowledge, in the military ranks, which is so assential in the time of war.—The power to organize, arm and discipline the troops being vested in Congress by the States. That the great and essential good arising from all Governments may be perpetuated; and theright of conscience which is held so sacred by all men, may be held inviolate: We respectfully request that, all our citizens who say they are scrupulous of bearing arms, will not be op-*

pressed with a military tax, unless in time of actual invasion, or when drafts become necessary for the defence of our country."

On motion of Mr. Rariden,

Said amendment was amended by striking out the words "say they" before the words "are scrupulous."

Mr. Cravens moved further to amend said amendment, by striking out all after the word "perpetuated."

Pending the question thereon,

The Speaker announced the arrival of the hour for passing to bills on their third reading.

Engrossed bills and a joint resolution of the following titles, to wit:

A bill to amend the act entitled an act to incorporate the Hanover Academy;

A bill to legalize the proceedings of the school commissioner of Sullivan county;

A memorial on the subject of the national road;

A bill authorizing John Newby of Jackson county, to expend certain monies appropriated out of the three per cent. fund, on the Madison and Brownstown State road;

A bill to extend the privileges granted to the White Water bridge company;

A bill to establish a State road from Napoleon in Ripley county, via Camden, Newbern and Columbus in Bartholomew county to Bloomington in Monroe county;

A bill to locate a State road from Williamsport in Warren county by the way of Lebanon and Chesapeake to the State line; and,

A bill to establish a State road in Vigo county;

Were severally read the third time and passed.

*Ordered*, That said bills be entitled acts, and that the clerk carry them, together with said memorial to the Senate and ask their concurrence.

The engrossed memorial and joint resolution from the Senate soliciting aid, to procure appropriations to improve the great western thoroughfare leading from Louisville to St. Louis, via Paoli, Mount Pleasant, Washington and Vincennes;

Was read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

The engrossed bill dividing the State into Congressional districts and for the election of Representatives in Congress,

Was read the third time, and

On motion of Mr. Parker,

Laid on the table.

The engrossed bill to repeal an act entitled "an act, to prohibit the circulation of bank notes of a less denomination than five dollars,

Was read the third time.

Mr. Lane moved to lay the same on the table;

Which motion was decided in the negative.

The question was then put, shall said bill pass?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Bradley, Claypool, Cox, Crawford, Cristler, Crume, Davenport, Davis of Sh., Edwards, English, Ferguson of C., Ferguson, of U., Finch, Hamilton, Hanna, Henley, Lewis, Lowe, Mastin, Parker, Rariden, Reid, Ribble, Roop, Ruddick, Sands, Shortridge, Skeen, Smith, Stanford, Steele, Vawter and Watt—35.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bryant, Buell, Carter of M. & C., Clark, Cravens, Culley, Daniel, Dunn, Fowler, Goodbar, Hargrove, Heustis, Howell, Huntington, Lane, Levenworth, Livingston, M'Junkin, M'Nary, Mitchell, Moore, Osborn, Palmer, Parks, Payne, Peyton, Proffit, Pruett, Schoonover, Slaughter, Wooden, Woodruff and Davis, Speaker—35.

So said bill was rejected.

And then the House adjourned until to-morrow morning, at 9 o'clock.

SATURDAY, DECEMBER 22, 1832.

The House met pursuant to adjournment.

On motion of Mr. Vawter,

Ordered, That Mr. Ruddick have leave of absence from the service of the House until Thursday next.

On motion of Mr. Crume,  
*Ordered*, That Mr. Cox have leave of absence from the service of the House until Tuesday next.

On motion of Mr. Smith,  
*Ordered*, That Mr. Woodruff have leave of absence from the service of the House until Wednesday next.

The Speaker laid before the House the following communication from Nicholas M'Carty, on behalf of himself and the other Canal Fund Commissioners; viz:

TO THE HON. THE SPEAKER

OF THE HOUSE OF REPRESENTATIVES:

SIR:

In compliance with the resolution of the House of Representatives of this date, requesting a statement of the canal funds in the hands of the Commissioners of the Canal Fund—the amount loaned, and to whom loaned, with their securities, I respectfully submit the following exhibit on behalf of the Commission:

*Statement of the situation of the Canal Fund.*

Exhibit as per former Report:

To the amount received from treasurer of state for canal lands sold,	\$24,123 04	
To amount received from the Agent 3 per cent. fund, Wabash fund,	4,528 52	
	<hr/>	28,651 56
To amount in the hands of D. Burr, as reported to the General Assembly, Dec. 10, 1831,	219 87	
To amount in the hands of Samuel Lewis, same report,	118 61	
	<hr/>	338 38
To amount of interest on lands sold in 1830, as per D. Burr's account,	51 72	
To amount of interest on lands sold in 1830, as per Sam'l. Lewis' account,	281 42	
To amount of interest on lands sold in 1830, as per Jordan Vigus' account,	2,233 08	
	<hr/>	2,566 22
To amount of full payment on land sold in 1830, as per J. Vigus' account,	894 45	



To amount of full payment on land sold in 1830, as per S. Lewis' account,	154 26	
	<hr/>	1,049 71
To amount received by S. Lewis for land sold since October 6, 1832, and interest thereon as per account,	1,984 38	
To amount received by Jordan Vigus, since Oct. 6, 1832, for lands sold, and interest thereon, as per account,	13,257 17	
	<hr/>	15,241 55
To amount received on the loan authorized by law, to wit, on the 18th day of Aug. 1832, at the Merchants' Bank in New York, of J. D. Beers & Co.		63,260 00
		<hr/>
Total,		\$111,107 42
From this deduct Canal Commissioners' expenditures, as before reported,	5,420 09	
Also the Fund Commissioners' expenditures, as before reported,	1,014 10	
	<hr/>	6,434 19
		<hr/>
Balance,		\$104,673 23

The above exhibit of the Canal Fund is recapitulated to show an erroneous footing of the former exhibit, which in haste to conclude our first report while the commissioners were together, occurred in footing the balance as above stated, at \$104,573 23, in place of 104,673 23, the correct balance, as I find upon a more recent computation.

The situation of the above balance is as follows:

Of the amount received from loan and premium, deposited in the Merchants' Bank of New York, to our credit, on August 18, 1832,	63,260 00
The amount drawn by N. McCarty for canal use,	10,000 00
Amount drawn by W. C. Linton, for canal use,	7,800 00
	<hr/>
	17,800 00
Amount remaining of the loan on deposit in Bank,	45,460 00
	<hr/>
	63,260 00
There has been loaned to individuals under the superintendence of Jeremiah Sullivan,	9,100 00

There has been loaned to individuals under the superintendence of Nicholas McCarty,	8,600 00	
There has been loaned to individuals under the superintendence of William C. Linton,	7,753 00	
	<hr/>	25,453 00
There is on deposit a balance in Samuel Hanna's hands as disbursing agent,		15,928 04
There is on deposit for safe keeping, in Mr. Merrill's hands,		296 29
		<hr/>
		104,937 33
From which amount deduct of the expenditures made by the fund commissioners as per our report, part not paid out,		264 10
		<hr/>
Balance as above,		104,673 29

In a detailed explanation of the situation of the fund, as above stated, will consist, I apprehend, the information desired by the resolution of the House of Representatives, which, therefore, follows, to wit:

By the requisition of the canal commissioners made on us prior to our visit to procure the loan, we were notified to have in readiness to comply with contracts in the months of August and November, \$48,000. But from the difficulty of profitably or even safely depositing large sums of money in this state, and in the absence of any bank convenient for canal operations, your commissioners drew but the amount stated, \$17,800, believing also, from the best information, that the amount required by the canal commissioners would not be required here this fall. On the 10,000 dollars drawn by N. McCarty, a premium of fifty dollars was procured on account of the difference between eastern and western paper, which premium is also on deposit in said bank to our credit, in addition to the loan deposit; and the said 10,000 dollars is on loan, bearing interest at six per cent. from August 18, 1832, until paid or needed for canal uses, and is secured as hereafter stated. On the 7,800 drawn by Wm. C. Linton, as above, a premium was also secured for eastern drafts, and interest not ascertained yet, and the amount thus drawn by him is placed by him on deposit at Lafayette, subject to the requisitions for canal operations. The balance on deposit in bank, is bearing four per cent. interest to the state, and is subject to draft at sight. For attending to the payment of the semi-annual interest on the loan, the bank makes no charge, while that duty cost the Ohio fund a large sum annually.

With reference to loans to individuals, the commissioners concluded it to be a preferable course, although the occasion of much trouble and responsibility to them, to accepting the offer made on enquiry of the Commercial Bank, in Cincinnati, Ohio, to pay on deposit four per cent. per annum, for any time under six months, and over that time, five per cent. by receiving one month's notice previous to withdrawal. It was determined, therefore, by the board, on May 24, 1832, to loan to known and solvent individuals, at six months, at six per cent. interest, and to bear 20 per cent. interest from date, if not paid at maturity, such funds as might accumulate on our hands, subject to canal uses.

Statement of loans under superintendence of Jeremiah Sullivan, as far as their names are returned to this office.

April 26,	George W. Leonard, with others,	\$1000
	John Alling and William Robinson,	1500
June 1,	do. do.	500
April 26,	John Sering and others,	2400
	Stapp, Lanier, & Co.	350
	Moses H. Wilder and Thomas L. Payne,	50
May 12,	William Sheets and John Sheets,	200
Dec. 5,	do. do.	2700
May 26,	Stephen C. Stephens with others,	400
		<hr/>
		9100

Statement of loans under superintendence of Wm. C. Linton.

To whom loaned, but the names of the securities are in Mr. Linton's possession.

March 25, 1832.	To James Wasson and others,	\$ 500
	William M. Murrin and others,	300
	L. H. & J. Scott,	2000
	John Jackson,	300
	Chauncey Rose,	1000
April 2,	Thomas Dowling,	550
7,	Demas Deming,	603
May 23,	“ “	500
	Chauncey Warren,	700
	B. M. Harrison,	300
	Williams & Chase,	700
	Curtis Gilbert,	300
		<hr/>
		7753

Statement of monies belonging to the Indiana Canal Fund, loaned out under the superintendence of N. M'Carty.

<i>Date of Loan.</i>	<i>Persons to whom loaned, and their securities.</i>	<i>Amount loaned.</i>	<i>int'rst. rec'd, loaned on re'l.</i>
1832.			
Feb. 28.	To A. Harrison with W. Conner & A. W. Russell, sec. 1	1000	\$30
"	A. W. Russell with A. Harrison & W. Conner, 2	1000	30
March 16.	Dr. J. A. Sanders with S. Merrill & D. Williams, 3	500	15
"	Henry Bradley with D. Yandes & S. Merrill, 4	500	15
"	Hervey Bates with B. I. Blythe & Daniel Yandes, 5	1000	30
"	Daniel Yandes with B. I. Blythe & H. Bates, 6	600	18
"	J. P. Drake with B. I. Blythe and H. Bates, 7	1000	30
"	Brown & White with J. P. Drake & H. Brooks, 8	500	15
"	S. Merrill with James Blake & J. M. Ray, 9	1000	30
March 22.	Henry Porter & Co. with S. Henderson & S. Merrill, 10	500	15
Nov. 5.	A. W. Morris with S. Merrill & J. M. Ray, 11	1000	
		8600	228
MEMORANDUM. All the above notes, except No. 11, were renewed at their maturity, and the interest accrued included in Nos. 1, 2, 5, 7, 8, and 78 dollars of the interest re-loaned to Daniel Yandes per note, all at 6 months.			
August 18.—Loaned at New-York to Phil Hale, of Washington City,		10000	
as per his note at sixty days, payable at Indianapolis, with interest, he having paid in Bank for us and to our credit, 50 dollars premium, between eastern and western funds,			50
Interest thereon accrued,			200
		18600	478

MEM. The last loan above stated of 10,000 dollars, was satisfactorily secured, by the deposit in the hands of N. M'Carty, of



eleven thousand dollars Revolutionary Bounty Land Scrip, and it being ascertained after arriving home from N. York, that the money would not be required at present for Canal purposes, N. M'Carthy continued the loan to Mr. Hale, at interest, by retaining the security, until he wished to pay it, or it should be required for canal expenditures.

As the nature of this security may not be generally understood, it may be proper to remark, that it is in scrip certificates of 100 dollars each, receivable in payment for land at either of the Land Offices in Ohio, Indiana or Illinois, and can, at any time, if necessary to make the loan out of the security pledged, be converted into money in sixty days, and produce more than the amount loaned and interest. It is a kind of security known to be willingly taken by the banks on loaning money, and to be perfectly good and free from risk.

With reference to the actual disbursements of the canal fund in accomplishing its design in constructing the canal, the board determined after consultation, to transact that business (which in Ohio is done through some bank in the vicinity of the works or elsewhere,) through some suitable agent convenient to the operations, as the best arrangement in their power to make under the circumstances. Accordingly the following communication was addressed to Samuel Hanna, Esq. residing at Fort-Wayne by the board.

INDIANAPOLIS, FEBRUARY 28, 1832.)  
Office Wabash and Erie Canal Fund Commissioners.}

SAMUEL HANNA, ESQ.

SIR:—The undersigned deeming it expedient to have an agent in the vicinity of the canal lettings, for the purpose of disbursing the monies as they may be required by the canal commissioners during the progress of the work, think proper to offer you the appointment, the acceptance of which will be predicated upon the following conditions, viz: That you will execute to them as canal fund commissioners, a bond with sufficient security, known to them or to such persons here as you may refer them to, in the sum of 20,000 dollars, for the faithful disbursement of any and all monies they may place at your disposal, according to the law authorizing this board to pay money to the canal commissioners. Second,—That you will from time to time, as may be required, procure the money from any distance, not exceeding that from your place to this, that the undersigned may name; and pay them out, as before stated, without charge. Should you accept the appointment, when you forward your bond, you may draw on us, as commissioners of the canal fund, for \$5,000, which will be paid on the acceptance of the bond.

We have this day addressed the canal commissioners, mention-

ing your agency, and setting out the following as the rule under which monies are to be drawn for canal purposes. You will on acceptance of the agency, be governed accordingly. (Here followed our instructions, which have since been modified on the application of the canal commissioners, so that now the agent is authorized to make such payments as the requisitions of the commissioner of canal contracts, as that a sum at no time exceeding one thousand dollars shall remain in his hands, as a contingent fund, for the payment of such contingent expenses, as may arise for the payment of salaries to engineers, pay to assistants, hands, instruments in constructing the canal; and also that such agent should make no payment of drafts for work executed on contracts, unless it be accompanied by the estimate of the engineer and then only to the extent of half the estimate, according to law.)

In reply to which communication, Mr. Hanna forwarded to us his bond conditioned as above provided, in the penalty of 20,000 dollars, with James Barnett, Francis Comparet and Allen Hamilton as securities, whom from information we approved; and which bond has been duly recorded.

Mr. Hanna has accordingly acted as our disbursing agent, and his account as rendered, examined and approved, is as follows:

Samuel Hanna, agent in account with canal fund commissioners,

1832.		Dr.
May 24,	To cash placed subject to drafts as agent of the board,	5,000 00
Dec. 6,	To cash received from canal commissioners,	14,396 04
		<hr/>
		\$19,396 04
1832.		Cr.
Dec. 6,	By cash expended on drafts of canal commissioners, as per your account rendered with vouchers approved,	3,468 00
	By balance charged to you,	15,928 04
		<hr/>
		19,396 04
" "	To balance on hand, reported as on deposit at the land office at Fort Wayne,	15,928 04

In conclusion I would state, that in view of the necessity which exists in the circumstances in which we are placed, to have a disbursing agent, and to secure the safety of the fund, the board have determined to make a purchase of an iron chest, as soon as it can be done at the east conveniently.

Very respectfully submitted,

On behalf of the commission.

NICHOLAS MCARTY.

Which was read, and

On motion of Mr. Crume,

*Ordered*, That three hundred copies thereof be printed for the use of the members of this House.

On motion of Mr. Cravens,

*Ordered*, That Mr. Mitchell have leave of absence from the service of the House, until Wednesday next.

The Speaker laid before the House the following communication from Morris Morris, Auditor of Public Accounts:

TREASURY DEPARTMENT, }  
AUDITOR'S OFFICE, }  
*Indianapolis, Dec. 21st, 1832.*

SIR,—In obedience to a resolution of the House of Representatives, of the 20th inst., I inclose to you a statement of all the Lands and Polls subject to taxation, in the several counties within this State, as per certificates of the several Clerks, filed in my office.

Respectfully,

MORRIS MORRIS, A. P. A.

HON. J. W. DAVIS. Spk'r H. of R.

Names of Counties.	Polls.	1st Rate.	2d Rate.	3d Rate.
Allen	241	6079	7780	33
Boon	302	320	1516	160
Bartholomew	1060	11703	28275	5197
Cass	340			
Clark	1816	12726	68203	102641
Clinton	465		318	
Carroll	515	6210	5416	
Daviess	738	4841	33280	16617
Dubois	291	158	14212	4250
Dearborn	2356	11308	39744	129749
Delaware	407	1280	4237	
Decatur	1140	2468	74745	620
Fayette	1516	10024	78092	29660
Franklin	1624	9102	86315	34738
Grant	158	1649	146	
Green	738	1946	18294	11351
Gibson	1030	15050	39586	26279
Harrison	1581	1682	31181	134735
Henry	1389	2760	61374	
Hamilton	399	6250	20465	
Hendricks	956		32045	

Hancock	434	3993	7982	80
Jennings	699	422	3346	18257
Johnson	880	8916	84985	680
Jackson	870	324	43486	19771
Knox	1177	935	45186	96832
Laporte	138			
Lawrence	1494	8934	60573	50127
Montgomery	1660	21776	60449	773
Morgan	1093	5218	35293	2659
Morroe	1236	1093	29720	22707
Madison	556	181	11654	
Owen	767	3497	13332	24342
Orange	1214	30006	31306	58803
Posey	1138	5736	55541	32181
Parke	1521	990	81225	2467
Perry	568	8563	9786	8555
Rush	1987		148308	2316
Randolph	665	240	25316	22820
Ripley	747		19863	45950
Switzerland	1180	5872	74450	22327
St. Joseph	236			
Shelby	1217	2045	75798	5152
Sullivan	1010	3294	42677	19062
Scott	526	675	41187	8508
Tippecanoe	1429	12256	15318	1919
Vanderburgh	490	8566	10559	11864
Vermillion	1124	2578	37975	2930
Union	1258	1275	65795	31653
Washington	1970	156	64114	93297
Fountain	1452	20518	46118	320
Jefferson	1967	2892	61918	67679
Warren	637	4595	2652	
Spencer	479	5480	17173	16893
Crawford	502	60	8602	19483
Elkhart	324			
Putnam	1560	2699	61839	1668
Martin	331	7819	12295	2766
Marion	1529	10111	91351	7263
Pike	458	2470	26218	2760
Warrick	577	2593	25644	3060
Clay	363	1324	3259	568
Vigo	1438	38994	52792	1207
Lagrange	150			100
Floyd	1100	4209	23428	34617
Wayne	3137	5230	86397	12981
Whole amount	82360	322185	2340034	1387527



Which was read, and

O. motion of Mr. Vawter,

*Ordered*, That 300 copies thereof be printed for the use of the members of this House.

The following message was received on yesterday from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate has passed an engrossed bill entitled "an act for the relief of William Richards, road commissioner and for other purposes;" and

An engrossed bill of the House of representatives entitled "an act for the relief of John F. Jones, collector of Bartholomew county" with amendments;

In which bill of the Senate, and the amendments to the bill of the House, the concurrence of the House of Representatives is requested.

The engrossed bill of the Senate named in said message;

Was read the first time and passed to a second reading.

The several amendments made by the Senate to the Engrossed bill of the House, made in said message,

Were read and agreed to by the House.

*Ordered*, That the clerk inform the Senate thereof.

Mr Hanna presented a petition of James M'Farland, praying the passage of an act to authorize the agent of 3 per cent. fund to pay him for certain monies expended as road commissioner on the State road leading from Lafayette to Indianapolis;

Which was read and referred to the committee on claims.

Mr. Hanna presented a petition of John Givans and others, asking compensation to John Little, for trouble and expenses in taking care of William Warren, an invalid;

Which was read and referred to a select committee of Messrs. Hanna, Hamilton and Parks.

Mr. Palmer moved the following report:

The committee of ways and means to which was referred a resolution of this House, directing an enquiry into the expediency of amending the revenue law, so as to prevent the collectors of county taxes, from charging interest on county orders, during the time the same may remain in his hands, and requiring such collector to note on the said county orders, the date on which they were received by him, have directed me to report, that there is no law authorizing the collectors of county revenue, to make any such charge for interest; the said committee deem it inexpedient

to legislate on that subject, and ask to be discharged from the further consideration of said resolution;

Which was read and concurred in by the House.

On motion of Mr. Palmer,

*Ordered*, That Mr. Davis of Shelby have leave of absence from the service of the House until Wednesday next.

Mr Palmer made the following report:

The committee of ways and means, to which was referred a resolution of this House, directing an enquiry into the expediency of amending the revenue law, so as to compell the person or persons applying for licence to vend merchandise, to state to the board of county commissioners, where he intends to vend merchandise, which place shall be named in the license, and to make it unlawful for such person or persons to vend merchandise at any other place, unless he shall first apply to the county commissioners, to make the change in his license, have had the same under their consideration, and have directed me to report that, it is inexpedient to legislate on that subject; they therefore ask to be discharged from the further consideration thereof.

*Ordered*, That the committee be discharged accordingly.

Mr. Rariden, from the committee on education to which was referred sundry papers, relative to the Christian University College, reported a bill to incorporate the Christian University College, at New Albany;

Which was read the first time and passed to a second reading.

Mr. Lane made the following report:

The committee on roads, to which was referred a resolution, to enquire into the expediency of memorializing Congress, for a grant of land or money, to be appropriated to the opening of a new mail road, from New Albany to St. Louis; said route not to cross Whith river, in this State; have had the same under consideration, and have directed me to report that, as there is at this time, a direct mail route from New Albany to St. Louis, and as there is at this time, a memorial before the House, asking an appropriation, to improve the present route, that it is in the opinion of the committee, inexpedient to Memorialize Congress on that subject; therefore, ask to be discharge from the further consideration thereof.

*Ordered*, That said committee be discharged accordingly.

Mr. Lane, from the committee on roads, to which was referred a resolution of the House, on that subject, reported a bill to establish a State road from the Tobacco-landing, in Harrison

county, by the way of Laconia to Corydon in said county of Harrison, and for other purposes;

Which was read the first time and passed to a second reading.

Mr. Lane made the following report:

The committee on roads, to which was referred a resolution, directing an enquiry into the expediency of so amending the 54th section of the road law, as to make it the duty of the county court, to allow the overseers of roads, a reasonable compensation for, putting up guide posts. Also, that overseers of roads, work two thirds or more of the labor allotted before the 1st day of June, in each year, have had the same under consideration, and have directed me to report, that in the opinion of the committee, it is inexpedient so to amend the law; therefore, ask to be discharged from the further consideration of that subject;

Which was read, and

On motion of Mr. Palmer,

Laid on the table.

Mr. Bradbury, from the committee on roads, to which was referred the petition of George Petro and others, on that subject, reported a bill to locate a State road from Centreville, in Wayne county, to a certain point in Henry county;

Which was read the first time and passed to a second reading.

Mr. Palmer, after having obtained leave, made the following report:

The committee of ways and means, to which was referred a resolution of this House, directing an enquiry into the expediency of amending the act for assessing and collecting the revenue, so as to authorize and require the listers of any township, in which the owner of any lands may reside, to list all the lands which he may own in any township, in the county, have had the subject under their consideration, and have directed me to report that it is inexpedient to make any change in the law on that subject. The committee ask to be discharged from the further consideration of said resolution.

*Ordered*, That the committee be discharged accordingly.

Mr. Bradbury, from the select committee, to which was referred sundry petitions and remonstrances on that subject, reported a joint resolution of the General Assembly of the State of Indiana relative to the removal of the pension office;

Which was read the first time.

Mr. Payne moved to reject the same,

And the ayes and noes being requested thereon, by two members.

*Those who voted in the affirmative are,*

Messrs. Bonner, Bradley, Clark, Cravens, Culley, Daniel, Dunn, English, Ferguson of C., Hargrove, Henley, Lane, Levenworth, Livingston, Moore, Palmer, Parker, Parks, Payne, Sands, Schoonover, Skeen, Slaughter and Wallace—24.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradbury, Bryant, Buell, Carter of M. & C., Claypool, Crawford, Cristler, Crume, Davenport, Edwards, Ferguson, of U., Finch, Fowler, Goodbar, Hamilton, Hanna, Heustis, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Peyton, Pruett, Rariden, Reid, Ribble, Roop, Shortridge, Smith, Stanford, Steele, Vawter, Watt, Wooden and Davis, Sp'k—38.

So said bill was not rejected.

*Ordered,* That said bill pass to a second read on Monday next.

Mr. Stanford, from the select committee to which was referred several petitions of sundry citizens of the counties of Wayne and Henry on that subject, reported a bill to locate a State road from the Ohio line near Hillsborough in Wayne county, to intersect the Winchester and New Castle State road, in Henry county;

Which was read the first time and passed to a second reading.

On motion of Mr. Slaughter,

*Resolved,* That a select committee be appointed to take into consideration the late proclamation of the President of the United States, on the subject of the unhappy difficulties in South Carolina, and to prepare a joint resolution expressive of the feelings of the citizens of Indiana.

*Ordered,* That Messrs. Slaughter, Moore and Crume be that committee.

And then the House adjourned until Monday morning at 9 o'clock.



MONDAY, DECEMBER 24th, 1832.

The House met pursuant to adjournment.

Mr. Wallace presented a petition of Richard Parmer and others, praying a special act to authorize said Parmer, late collector of Daviess county, to collect certain taxes due him for the years 1828 and 1829;

Which was read and referred to a select committee of Messrs. Wallace, Hargrove and Goodbar.

Mr. Ferguson of C. presented a petition of Joseph Carr and others, citizens of Clark county, praying the repeal of an act entitled "an act to locate a State road from New Albany to Lexington," approved, Feb. 2d, 1832;

Which was read and referred to the committee on roads.

Mr. Ribble presented a petition of Silas Overman and others, citizens of Grant county, praying a law authorizing a relocation of the county seat of said county;

Which was read and referred to a select committee of Messrs. Ribble, Shortridge and Edwards.

Mr. Shortridge presented a petition of John Barr and others, citizens of Tippecanoe and Carroll counties, praying for the location of a State road from Lafayette to section sixteen in township 26 north, in range 3 west.

Which was read and referred to the committee on roads.

Mr. Lane presented four petitions of sundry citizens of Warrick and Spencer counties, severally praying that Moses Matthews be authorized to build a mill dam across little Pigeon creek;

Which were read; and,

On motion of Mr. Howell,  
Laid on the table.

Mr. Wooden made the following report:

The committee on military affairs to which was referred a resolution of the House, asking an enquiry into the expediency of making constables further allowance for their services for collecting fines, have directed me to report that it is inexpedient to legislate on that subject at this time;

Which was read and concurred in by the House.

Mr. Lane, from the select committee to which were referred several petitions on the subject of authorizing Moses Matthews to build a mill dam on Little Pigeon, reported a bill for the relief of Moses Matthews;

Which was read the first time.

Mr. Howell moved the reject the same;

Which motion was decided in the negative.

*Ordered*, That said bill do pass to a second reading.

Mr. Slaughter, from the select committee to which was referred a resolution of the House on that subject reported a joint resolution of the General Assembly of the State of Indiana relative to the President's proclamation, on the subject of the present difficulties in South Carolina;

Which was twice read (the rules of the House having first been dispensed with,) and

On motion of Mr. Wallace,

The last resolve was so amended as to request the Governor to forward a copy to the Governor of each State in the Union.

Mr. Ferguson of C. moved that said joint resolution be committed to a committee of the whole House, and made the order of the day for Wednesday next;

Which motion was decided in the negative.

It was then

*Ordered*, That the same be engrossed and read a third time on to-morrow.

Mr. Lane from the select committee to which was referred the petition of John Davis on that subject, reported a bill to divorce John Davis, of Warick county, from his wife Elizabeth Davis;

Which was read the first time, and

On motion of Mr. Henley,

The same was rejected.

On motion of Mr. Shortridge,

*Resolved*, That the committee on military affairs be instructed to enquire into the expediency of so amending the militia law, as to authorize and empower commandants of the several Regiments in this State to remit all fines on delinquents, for failing to attend any Company, Battalion, Regimental or Drill musters by the said officers, non-commissioned officers or privates, filing an affidavit before said commandant of said Regiment, where he belongs, that it was not in his power to attend the court of assessment (or appeals as the case may be) and make his excuse; and report by bill or otherwise.

On motion of Mr. Rariden,

*Resolved*, That the Adjutant General be requested to lay before this House, the time when the 22d Brigade of the ninth Division, Indiana Militia, was set off, when the same was attached to the ninth Division; when and by whom an election was ordered for Brigadier General; when elections were had, if any, and how many votes was given, and for whom given, for the office of Bri-

gadier General of said Brigade, at the several elections, if there was more than one, and that the clerk of this House deliver a copy of this resolution to the Adjutant General, forthwith.

On motion of Mr. Ferguson of C.,

*Resolved*, That the committee on education be instructed to enquire whether any, and if any, what amendment is necessary to be made to the law for the promotion of schools in Clark's grant,

With leave to report by bill or otherwise.

On motion of Mr. Hanna,

*Resolved*, That His Excellency the Governor be requested to cause his Adjutant General to lay before this House a statement of the Brigades and Divisions, Indiana Militia, that he has set off since the last meeting of the legislature, together with the bounds and number thereof.

On motion of Mr. Carter of M. & C.,

*Resolved*, That the committee on canals and internal improvements be instructed to enquire into the expediency of instructing the canal commissioners, to have the canal line permanently located from the mouth of Little river to the mouth of Tippecanoe, or to the termination of the canal, and that strict examination of both sides of the river be made from Logansport to the termination of the canal, and that they cause a report of its permanent location to be made to the next General Assembly.

On motion of Mr. Lewis,

*Resolved*, That the committee of ways and means be requested to enquire into the expediency of so amending the revenue law, that hereafter every assessor, when appointed and qualified, shall commence listing the persons and assessing the property subject to taxation, within their townships, districts, or counties, on the first day of March annually, or as soon thereafter as practicable, and to make it the duty of every person, when called on, to give a list of all taxable property, that is or was, in his or her possession, on the first day of March, instead of the property that would become taxable on the first day of May; and report by bill or otherwise.

On motion of Mr. Lowe,

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of authorizing the circuit court of Rush county, to sit twelve days at each term, if the business require it;

With leave to report by bill or otherwise.

Mr. Cristler, after having obtained leave, reported a joint me-

memorial of the State of Indiana, on the subject of a turnpike road;

Which was read the first time, and passed to a second reading.

Mr. Palmer, after having obtained leave, reported a bill to amend an act entitled "an act for opening and repairing public roads and highways;"

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day, and

Resumed the consideration of the memorial and joint resolution on military affairs, arrested on Friday last, by the arrival of the hour for passing to bills on the third reading.

On motion of Mr. Crume,

The further consideration of said memorial and joint resolution with the pending amendment thereto, was postponed until Wednesday next.

The House then resumed the consideration of the joint resolution on the subject of public lands, postponed by the call of the previous question, on Friday last.

On motion of Mr. Palmer,

The said joint resolution and depending amendment were laid on the table.

The House resumed the consideration of the bill for the establishment of a State Bank;

And before any further question was taken thereon, it was,

On motion of Mr. Rariden,

Ordered, That the further consideration thereof, be postponed until Monday next.

The bill for the relief of William C. Bramwell and for other purposes,

Was read the second time, and

On motion of Mr. Crume,

The further consideration thereof was postponed until Wednesday next.

The bill to relocate a part of the State road leading from Spencer in Owen county, to Danville in Hendricks county,

Was read the second time.

Mr. Lane moved to amend that part of said bill that provides for the payment of the commissioners out of the three per cent. fund, so as to confine it to that part of the three per cent. fund, which is appropriated to the county of Morgan;

Which motion passed in the affirmative.



Said bill was then,

*Ordered* to be engrossed and read a third time on to-morrow.

The bill to invest the title in a certain alley in the town of Putnamsville in Putnam county,  
Was read the second time.

Mr. Rariden moved to commit said bill to the judiciary committee.

Pending the question thereon, it was;

On motion of Mr. Dunn,

*Ordered*, That said bill be indefinitely postponed.

The bill for the relief of Geo. W. Dewees,  
Was read the second time.

On motion of Mr. Rariden,

It was committed to the judiciary committee with instructions to amend the same, so as to make the provisions general.

The joint resolution on the subject of public lands,  
Was read the second time.

Mr. Schoonover moved to lay said joint resolution on the table.

Mr. Crume moved to commit the same to a committee of the whole House for to-morrow.

And the ayes and noes being requested thereon, by two members:

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bradbury, Clark, Claypool, Cristler, Culley, Daniel, Edwards, English, Finch, Fowler, Goodbar, Hanna, Hannegan, Henley, Heustis, Huntington, Lane, Levenworth, Osborn, Palmer, Parker, Parks, Payne, Peyton, Pruett, Rariden, Ribble, Sands, Schoonover, Shortridge, Slaughter, Smith, Stanford, Steele, Vawter, Wallace, Watt, Wooden and Davis, Speaker—41.

*And those who voted in the negative are,*

Messrs. Bradley, Bryant, Buell, Carter of M. & C., Cravens, Crawford, Crume, Dunn, Ferguson of C., Ferguson of U., Hamilton, Hargrove, Howell, Lowe, M'Junkin, M'Nary, Proffit, Reid, and Skeen—20.

So said motion passed in the affirmative.

The bill to amend the act entitled an act regulating the interest of money in the State of Indiana, approved, Feb. 1, 1831;  
Was read the second time.

Mr. M'Nary moved to refer said bill to a select committee.

Mr. Proffit moved to commit the same to a committee of the whole House for to-morrow.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bryant, Buell, Carter of M. & C., Cristler, Culley, Daniel, Dunn, Fowler, Hamilton, Hargrove, Heustis, M'Junkin, Osborn, Payne, Proffit, Reid, Roop, Schoonover, Skeen, Smith, Wallace, and Davis, Speaker—24.

*And those who voted in the negative, are*

Messrs. Bradbury, Bradley, Clark, Claypool, Cravens, Crawford, Crume, Edwards, English, Ferguson of U., Finch, Goodbar, Hanna, Hannegan, Henley, Howell, Huntington, Lane, Levenworth, Lewis, Lowe, M'Nary, Palmer, Parker, Parks, Peyton, Pruett, Rariden, Ribble, Sands, Shortridge, Slaughter, Stanford, Steele, Vawter, Watt and Wooden—37.

Sosaid motion was decided in the negative.

Mr. Dunn moved to refer said bill to a select committee with instructions so amend the same, as to make the taking of more than 6 per cent. interest, a forfeiture of the whole sum borrowed.

Mr. Culley moved to lay said bill and motion for reference on the table;

Which motion was decided in the negative.

Mr. Proffit moved to amend the instructions proposed by Mr. Dunn, by striking out therefrom the word "six" and inserting in lieu thereof the word "twelve."

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradley, Buell, Cravens, Crawford, Culley, Henley, Proffit, Reid, Roop, and Smith—10.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bradbury, Bryant, Carter of M. & C., Clark, Claypool, Cristler, Crume, Daniel, Dunn, Edwards, English, Ferguson of C., Ferguson of U., Finch, Fowler,

Goodbar, Hamilton, Hanna, Hannegan, Hargrove, Heustis, Howell, Huntington, Lane, Levenworth, Lewis, Lowe, M'Junkin, M'Nary, Osborn, Palmer, Parker, Parks, Payne, Peyton, Pruett, Rariden, Ribble, Sands, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Steele, Vawter, Wallace, Watt, Wooden and Davis, Speaker—52.

So said motion was decided in the negative.

Mr. Palmer moved to amend said instructions so as to provide that if there is a greater interest than six per cent. charged, that it shall be a forfeiture of 20 per cent. of the sum so loaned;

Which motion was decided in the negative.

Mr. M'Junkin moved to amend the said instructions as follows: "that upon special contracts in writing, ten per cent. per annum may be allowed for the use of money, and no more interest shall be taken directly or indirectly, under penalty of the forfeiture of the whole of said interest, and also incorporating into said bill, the 1st section of the act entitled an act regulating the interest of money, in the State of Indiana, approved, Feb. 1st, 1831."

Before the question was put thereon,

The previous question was called for by Messrs, Hanna, Lane, and Henley;

And was therefore put, to wit:

Shall the main question be now put?

The ayes and noes being requested on said previous question by two members,

*Those who voted in the affirmative, are*

Messrs. Bonner, Boyd, Bradbury, Bradley, Carter of M. & C. Cravens, Crume, Edwards, Ferguson of C., Finch, Fowler, Goodbar, Hanna, Henley, Lane, M'Nary, Palmer, Parker, Peyton, Pruett, Rariden, Ribble, Sands, Shortridge, Slaughter, Stanford, Steele, Watt, Wooden and Davis, Speaker—30.

*And those who voted in the negative, are*

Messrs. Bryant, Buell, Clark, Claypool, Crawford, Cristler, Culley, Dunn, English, Ferguson of U., Hamilton, Hannegan, Hargrove, Heustis, Howell, Huntington, Levenworth, Lewis, Lowe, M'Junkin, Osborn, Parks, Payne, Proffit, Reid, Roop, Schoonover, Skeen, Smith, Vawter and Wallace—31.

So said previous question was decided in the negative.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Parker, from the joint committee of enrolled bills, reported that they have compared the enrolled with the engrossed bill and joint resolutions, entitled as follows:

A bill for the relief John F. Jones, collector of Bartholomew county;

A joint resolution requesting the Governor of Indiana to communicate with the Governor of Ohio in relation to the extension of the Wabash and Erie canal; and

A memorial and joint resolution of the State of Indiana, soliciting aid, to improve the great western thoroughfare leading through this State from Louisville, Ky, to St. Louis, Missouri, via Mount Pleasant, Washington and Vincennes;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bill, memorial and joint resolution.

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

Mr. Mitchell, to whom leave of absence was heretofore given, now appeared and resumed his seat.

On motion of Mr. Rariden,

The several orders of the day which precede the bill organizing the eighth judicial circuit and fixing the times of holding courts therein, were for the present postponed.

The House then resolved itself into a committee of the whole on said bill, and

After some time spent therein,

The Speaker resumed the chair, and

Mr. Ferguson of C. reported progress, and asked leave to sit again.

And on the question, "shall the committee have leave to sit again?"

It was decided in the negative.

On motion of Mr. Rariden,

Said bill was recommitted to the committee on the judiciary.

Engrossed bills, joint resolutions and a memorial of the following titles, to wit:

A bill to locate a State road from Greencastle in Putnam



county to Carlisle in Sullivan county, by the way of Manhattan in Putnam county, and Bowlinggreen and New Brunswick in Clay county;

A bill changing the direction of a road from Judge Lowry's farm, to Paris, Illinois;

A bill to legalize the proceedings of the commissioner appointed to make and locate a State road from Lagrange to Logansport;

A bill to locate a State road from where the Michigan road crosses Yellow river, by the way of the county seat of Laporte county, to the mouth of Trail creek;

A bill to locate a State road from Martinsville in Morgan county, by the way of Cox's mill and Solomon Dunagan's in said Morgan county to Stilesville in the county of Hendricks;

A bill to locate a State road from Martinsville, in Morgan county, to intersect the State road leading from Madison to Indianapolis at Edinburgh, in Johnson county, by the way of Morgantown, in said Morgan county;

The joint resolution on the subject of a rail road from the Mississippi river to the city of Washington;

A joint resolution relative to the public ferry at Indianapolis; and

A memorial, asking relief to William Warren;  
Were severally read the third time and passed.

*Ordered*, That said bills be entitled acts, and that the clerk carry them, together with said joint resolutions, and memorial, to the Senate and ask their concurrence.

An engrossed bill and a joint resolution from the Senate entitled as follows to wit:

An act to amend an act to appropriate part of the 3 per cent. fund, and for other purposes; and

A joint resolution to procure appropriations to construct a safe harbor, and to erect a Light House at the mouth of the Des Champs on Lake Michigan;

Were severally read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

The engrossed bill to amend an act entitled "an act for opening and repairing public roads and highways;

Was read the third time.

On motion of Mr. Rariden,

*Ordered*, That it be re-committed to the committee on roads with instructions to make the following amendment, to wit:

“To change the law in regard to road districts, and supervisors of districts, and so arrange the hands and supervisor to work on roads, that they may be appointed on the roads next adjoining where they may live, or in their neighborhood.”

The engrossed bill from the Senate to amend the act authorizing domestic attachments and regulating the proceedings therein; Was read the third time, and

On motion of Mr. Dunn,

It was re-committed to the committee on the judiciary, with instructions to amend that clause which provides that no judgment shall be rendered against attachment defendants or garnishees living out of the county where suit is brought unless mesne process have been served upon some such defendant or garnishee in such county, by adding to the latter part of said clause, that in addition to the service of process in the county, judgment shall also have been rendered against some one defendant or garnishee thus served with process in the county where the venue is laid.

Mr. Huntington moved that this House do now adjourn until Wednesday morning next at 9 o'clock.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Crawford, Crume, Culley, Daniel, Dunn, Finch, Fowler, Hanna, Heustis, Huntington, Lane, Lowe, M'Junkin, Parks-Roop, and Smith—16.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Clark, Claypool, Cravens, Cristler, Davenport, Edwards, Ferguson of C., Ferguson, of U., Goodbar, Hamilton, Hannegan, Hargrove, Henley, Howell, Levenworth, Lewis, M'Nary, Mitchell, Osborn, Palmer, Parker, Payne, Peyton, Proffit, Pruett, Reid, Ribble, Sands, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Steele, Vawter, Wallace, Watt, Wooden and Davis, Speaker—46.

So said motion was decided in the negative.

Bills on their third reading having been gone through with,

On motion of Mr. Palmer,)

The House resumed the consideration of bills on their second reading.

The bill to establish a certain State road therein named,  
Was read the second time, and

On motion of Mr. Skeen,

The blank before the name "Boardman" was filled with the word "Amos."

On motion of Mr. Crume,

The bill was further amended by adding the following as an additional section, viz:

"Sec. *Be it further enacted*, That an act entitled "an act to relocate part of the Lawrenceburgh and Rushville State road in Rush county" approved, Feb. 2, 1832, be and the same is hereby repealed."

The said bill was then,

Ordered to be engrossed and read a third time on to-morrow.

The joint memorial of the General Assembly of the State of Indiana,

Was read the second time.

Mr. Stanford moved to amend it by making the county seat of Henry, a point in the road therein asked for, in addition to the points named in the memorial;

Which motion did not prevail.

Mr. Culley moved to strike out that part of said memorial, which provides that said road after passing the county seat of Union, shall be continued to the Ohio State line in a direction to Cincinnati, and to insert in lieu of it, a clause that it should be continued to some point on the Ohio river;

Which motion was decided in the negative.

Mr. Stanford moved to commit said memorial to a committee of the whole House for Wednesday next.

Mr. Crume moved that the House adjourn until Wednesday at 9 o'clock, A. M.

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Bryant, Crawford, Crume, Culley, Daniel, Dunn, Heustis, Lowe, M'Junkin, M'Nary, Parks and Smith—12.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bradbury, Bradley, Buell, Carter of M. & C., Clark, Claypool, Cristler, Davenport, Edwards, Ferguson, of U., Finch, Fowler, Goodbar, Hamilton, Hanna, Hannegan, Hargrove, Henley, Howell, Huntington, Lane, Levenworth, Lewis, Mitchell, Orsborn, Palmer, Parker, Payne, Peyton, Proffit, Pruett, Rariden, Reid, Ribble, Sands, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Steele, Vawter, Wallace, Watt, Wooden and Davis, Sp'k—48.

So said motion was decided in the negative.

And then the House adjourned until to-morrow morning, at 9 o'clock.

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## TUESDAY, DECEMBER 25, 1832.

The House met pursuant to adjournment.

Mr. Sands presented a petition of Thomas Wyatt and others, citizens of Putnam county, praying for a State road from Green-castle to Rockville;

Which was read and referred to the committee on roads.

Mr. Sands presented three remonstrances of sundry citizens of Putnam and Owen counties, against attaching any part of Putnam county to Owen, and praying that a part of Owen be attached to Putnam county;

Which were severally read, and

Laid on the table.

Mr. Dunn, from the committee on public buildings, to which was referred a resolution of the House on that subject, reported a joint resolution to authorize the sale of the Governor's Circle, in the town of Indianapolis;

Which was read the first time and passed to a second reading

Mr. Dunn, from the committee on public buildings made the following report:

That they approve of reserving from present sale, the block of lots north of the State House Square, and mentioned in the Gov-



ernor's message, but they do not approve of changing the site for the State House building; that to do so, a public street must be occupied, the power to take which, for that or any other purpose may well be questioned. It will also occasion some difficulty with the purchasers of property in the neighborhood, without, as your committee believe, any corresponding benefit, as they believe the present State House Square is sufficiently large for all purposes. Also, that it is the opinion of the committee, that the Indianapolis fund, will be amply sufficient to meet the full expenditure required to complete the State House, in the manner contemplated in the plan and specifications of Messrs. Town and Davis, and that the commissioners do cause the same to be finished accordingly;

Which was read and concurred in by the House.

On motion of Mr. Hanna,

1st. *Resolved*, That the committee on military affairs be instructed to prepare and report joint resolutions to this House, instructing our Senators and requesting our Representatives in Congress, to procure the passage of a law, authorizing the payment for horses lost by the militia of Indiana, on their march to Chicago, in the month of June last, under the command of Col. A. W. Russell.

2d. *Resolved*, That His Excellency the Governor, be requested to lay before this House, the correspondence between himself and the Secretary of War, which authorizes the belief on his part that the militia referred to, in the foregoing resolution, will be paid by the General Government for their services.

Mr. Daniel moved the following preamble and resolution:

WHEREAS the territory of lands of the United States,<sup>r</sup> lying South of the base line, has been in market twenty or thirty years and the same having heretofore been selected, culled and picked: And whereas, it is believed the cultivation of wild lands, of whatever quality, when reclaimed, not only ensures happiness to the planter and farmer, adds to the resources and revenue of the Government; and whereas, there are many persons, from accident or misfortune with families would be benefited themselves, and finally add to the physical and moral power of the Government, it would be desirable that the aforesaid territory be set apart for the objects aforesaid. Wherefore,

*Resolved*, That the committee on education be directed to report a joint memorial praying Congress to pass a law in accordance with the foregoing preamble, or otherwise;

Which was read.

On motion of Mr. Buell,

Said resolution was so amended as to direct the committee to enquire into the expediency of reporting a memorial to Congress.

On motion of Mr. Vawter,

The said preamble was amended by inserting after the words "base line" these words "in the State of Indiana."

On motion of Mr. Daniel,

The same was further amended by inserting the word "original" between the words "the" and "base."

On motion of Mr. Palmer,

It was further amended by inserting after the words "south of" these words "town 8 north of."

The question then recurring on the adoption of said preamble and resolution, as amended,

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Bradbury, Bryant, Carter of M. & C., Claypool, Cravens, Crawford, Culley, Daniel, Edwards, English, Ferguson of C., Finch, Hamilton, Hargrove, Henley, Heustis, Huntington, Lane, Levenworth, Mitchell, Moore, Palmer, Parker, Payne, Proffit, Pruett, Ribble, Sands, Slaughter, Steele, Vawter, Wallace, Wooden and Davis, Speaker—35.

*And those who voted in the negative, are*

Messrs. Bonner, Bradley, Buell, Clark, Cristler, Crume, Davenport, Dunn, Ferguson of U., Fowler, Goodbar, Hanna, Hannegan, Howell, Lewis, Lowe, M'Junkin, Osborn, Parks, Peyton, Reid, Roop, Schoonover, Shortridge, Skeen, Smith, Stanford and Watt—28.

So said resolution, as amended, was adopted.

On motion of Mr. Huntington,

*Resolved*, That a select committee be appointed to enquire into the expediency of regulating by law, the weight and measurement of wheat, so that 60 pounds shall be established as, and taken to be one bushel,

With leave to report, &c.

*Ordered*, That Messrs, Huntington, Wallace and Claypool be that committee.

On motion of Mr. Ferguson of C.,

*Resolved*, That the committee on canals and internal improvements, be instructed to enquire into the expediency of memorializing Congress for donations of land to aid in the construction of a turnpike road from the falls of the Ohio river, to intersect the Cumberland and Michigan roads at Indianapolis.

On motion of Mr. Cravens,

The vote taken on the adoption of said resolution was reconsidered.

Mr. Vawter moved to amend said resolution so as to insert after the words "Ohio river" these words "via Lexington and Vernon."

Mr. Fowler moved to amend said amendment, so as to insert "Greensburgh" after "Vernon;"

Which motion was decided in the negative.

Mr. Sands moved to lay said resolution and proposed amendment on the table;

Which motion did not prevail.

The question recurring on the amendment proposed thereto by Mr. Vawter;

It was decided in the negative.

Mr. Mitchell moved to amend said resolution, by striking out all after the word "falls" and insert in lieu thereof the following, "New Albany, Corydon, Salem, Brownstown, Columbus, and Franklin to Indianapolis;"

Which motion did not prevail.

Mr. Steele moved to amend said resolution, by inserting after the word "land" the following, "after the Wabash and Erie canal is completed;"

Which motion was decided in the negative.

On motion of Mr. M'Junkin,

Said resolution was amended by adding at the end thereof the following, "and for a road from Rockport via Jasper and Mount Pleasant to Bloomington, Indiana."

Mr. Stanford moved further to amend the same, by adding the following proviso:

"*Provided*, There should remain any unappropriated lands in this State after former requests are satisfied."

Pending said question,

On motion of Mr. Lane,

The further consideration of said resolution and proposed amendment were indefinitely postponed.

Mr. Huntington moved the following resolution:

*Resolved*, That the committee on canals and internal improvements be instructed to enquire into the expediency of memorializing Congress on the subject of a donation of lands, for the construction of a rail road from Evansville on the Ohio river, via Princeton and Vincennes, to Terre Haute, on the Wabash river, With leave to report by bill or otherwise.

Mr. Hannegan moved to amend said resolution, by striking out the word "to" before the words "Terre Haute," and inserting the word "and" in its place, and by inserting after the word "Terre Haute" the words "to Lafayette."

On motion of Mr. Bryant,

Said amendment was amended by making Rockville a point.

Said amendment, as amended, was then agreed to by the House.

Mr. Lewis moved that the House adjourn until to-morrow morning at 9 o'clock.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Bradley, Buell, Carter of M. & C., Claypool, Crawford, Cristler, Daniel, Davenport, Dunn, Edwards, Ferguson of C., Hamilton, Hanna, Hannegan, Hargrove, Heustis, Lane, Lewis, Mitchell, Reid, Roop, Smith, Stanford, Steele, Vawter, and Watt—27.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bryant, Clark, Cravens, Crume, Culley, Ferguson of U., Finch, Fowler, Goodbar, Henley, Howell, Huntington, Levenworth, Lowe, M'Junkin, Moore, Osborn, Palmer, Parker, Parks, Payne, Peyton, Proffit, Pruett, Ribble, Sands, Schoonover, Shortridge, Skeen, Slaughter, Wallace, Wooden and Davis, Speaker—35.

Sosaid motion was decided in the negative.

Mr. Henley moved to postpone the further consideration of said resolution indefinitely;

Which motion did not prevail.

Mr. Palmer moved further to amend said resolution by adding to the end thereof the following: "and also, a like donation to aid in the construction of a rail road, from the Ohio river at Madison,



via Indianapolis and Lafayette, to the mouth of Trail creek on Lake Michigan."

Mr. Steele moved to amend said amendment, by striking out the word "rail" and inserting in lieu thereof the word "turnpike."

Mr. Howell moved to postpone the further consideration of said resolution and proposed amendments indefinitely.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Clark, Daniel, Ferguson of C., Ferguson of U., Hamilton, Henley, Howell, Levenworth, Lewis, Parks, Peyton, Reid, Schoonover, and Skeen—14.

*And those who voted in the negative, are*

Messrs. Bonner, Boyd, Bradbury, Bryant, Buell, Carter of M. & C. Claypool, Cravens, Crawford, Cristler, Crume, Culley, Davenport, Dunn, Edwards, Finch, Fowler, Goodbar, Hanna, Hannegan, Hargrove, Heustis, Huntington, Lane, Lowe, Mitchell, Moore, Osborn, Palmer, Parker, Payne, Proffit, Pruett, Ribble, Sands, Shortridge, Slaughter, Smith, Stanford, Steele, Vawter, Wallace, Watt, and Davis, Speaker—44.

So said motion was decided in the negative.

Then the House adjourned until to-morrow-morning at 9 o'clock.

WEDNESDAY, DECEMBER 26, 1832.

The House met pursuant to adjournment.

Messrs. Davis of Sh'y and Cox, to whom leave of absence was heretofore given, appeared and resumed their seats.

Mr. Davenport presented a petition of George Walter, sen. and others, citizens of the counties of Hendricks, Boon and Montgomery, praying an appropriation out of the 3 per cent. fund, to improve the road leading from Indianapolis to Crawfordsville;

Which was read and referred to the committee on roads.

Mr. Smith presented a petition of Jacob Misner, praying for relief;

Which was read and referred to a select committee of Messrs. Smith, Lowe and Roop.

Mr. Moore, from the majority of the judiciary committee, to which was referred a resolution of the House on that subject, made the following report:

The several insurance companies in this State, with the exception of that of Lawrenceburgh, are made offices of discount and deposit, with power, among other things, to receive bank paper, cash, &c. on deposit, and to loan the same; that of New Albany has power to loan its deposits upon such terms and upon such rate of interest, as may be agreed upon, between the company and the person or persons, company or corporation, discounting or borrowing the same. In reference to the right of this company to loan monies, on deposit, at such rate of interest as may be agreed upon, it is the opinion of a majority of the committee, that no general law regulating interest, can effect it; that the interest upon deposits loaned by each of the other insurance companies, in this State, may be controuled by a general law. Each of said companies may loan its funds, stock, &c.; but as to the rate of interest upon the same, whether a general law will regulate it, or not, is, from the phraseology of the charters, rendered doubtful, except as to the Wabash insurance company, which it is believed cannot be restricted. These are questions, however, which the committee are of opinion, belong properly to the judiciary tribunals of the State to determine; they therefore ask to be discharged from the further consideration of this subject;

Which was read and concurred in by the House.

Mr. Moore made the following report:

The committee on the judiciary to which was referred sundry documents, in regard to the official misconduct of D. C. Johnson, clerk of Knox county, with authority to use the power of this House, in sending for persons and papers for the investigation of said charges, have had the same under consideration, and find the following charges and specifications, supported by the oath and affidavit, of sundry witnesses, to wit:

- Charge 1st. Neglecting and failing to return a list of Jury fees to county treasurer as required by law.
- “ 2d. Refusing to issue writs, after being frequently requested so to do.
- “ 3d. Issuing duplicate orders on the county treasurer, and applying them to his own use.

- Charge 4th. Entering an allowance on the commissioners books in his own favor, when the commissioners were not in session, and without their order and issuing an order therefor on the county treasurer.
- 5th. Charging and receiving more and greater fees than are allowed by law.
- 6th. Refusing to pay over money coming into his hands by virtue of his office, to persons entitled to receive the same.
- 7th. Habitual intemperance, and a destitution of those moral qualities a public officer should possess.

That, during the investigation of this subject, a letter of resignation addressed to the Governor of this State, signed by said D. C. Johnson, as clerk aforesaid, was laid before the committee, and which, they are advised, has been accepted; that as any further investigation of this subject would be attended with delay and great expense to the State, and in the event of a final conviction could only extend to a disqualification to hold office; the committee therefore, ask to be discharged from the further consideration of the same;

Which was read and concurred in by the House.

Mr. Moore, from the judiciary committee to which was referred two resolutions of the House on that subject, reported a bill to amend an act entitled "an act organizing probate courts and defining the powers and duties of executors, administrators and guardians," approved, Feb. 10th, 1831;

Which was read the first time and passed to a second reading.

Mr. Moore made the following report:

The judiciary committee to which was referred a resolution of this House, instructing them to enquire into the expediency of appointing a reporter of the decisions of the Supreme Court of the State of Indiana, and to allow him such compensation as may be deemed reasonable; also, to enquire into the expediency of requiring the Supreme Court in all cases adjudicated upon, to deliver a written opinion, upon every point submitted in each case, have had the same under consideration, and a majority of the committee are of opinion, that it is inexpedient to legislate upon those subjects at this time;

Which was read, and,

On motion of Mr. Rariden,

Said resolution and report were re-committed to a select committee.

Ordered. That Messrs. Rariden, Livingston and Goodbar be that committee.

Mr. Moore made the three following reports, to wit:

1st. The judiciary committee, to which was referred a resolution; instructing said committee to enquire into the expediency of changing the mode of doing probate business, so as to create probate circuits, as intimated in the Governor's message, have had that subject under consideration, and a majority of the committee have directed me to report that in their opinion, such a change as is contemplated by the resolution ought not now to be made.

2d. The judiciary committee, to which was referred the petition of sundry citizens of the county of Laporte, relative to the enactment of a law, authorizing the commissioners of said county to levy a tax, not exceeding the State tax, on all non-resident lands, in that county, which have or may become taxable, to be applied on roads therein, have had the same under consideration, and directed me to report, that it is inexpedient to grant the prayer of the petition; and, therefore, ask to be discharged from the further consideration of this subject.

3d. The committee on the judicary, to which was referred a resolution instructing them to enquire into the expediency of providing by law for imposing the costs of criminal prosecutions, which have been instituted without cause, upon the person setting the same on foot, have had that subject under consideration, and are of opinion that it is not expedient to legislate upon it, at this time;

Which were severally read and concurred in by the House.

Mr. Bryant, from the joint committee of enrolled bills, reported that they did on this day, present to the Governor, for his approval and signature:

A joint resolution requesting the Governor of Indiana to communicate with the Governor of Ohio relative to the extension of the Wabash and Erie canal;

A memorial and joint resolution of the State of Indiana, soliciting aid, to improve the great western thoroughfare leading through this State from Louisville, Ky, to St. Louis, Missouri, via Mount Pleasant, Washington and Vincennes; and

A bill entitled an act for the relief John F. Jones, collector of Bartholomew county.

Mr. Howell, from the select committee to which was referred the petition of Hiram Main, on that subject reported a bill to relocate a part of the State road leading from Rockport to Boonville;



Which was read the first time and passed to a second reading.

Mr. HANNEGAN, from the select committee, to whom was referred a petition on that subject, reported a bill to provide for the establishing a State road from Covington to Russellville;

Which was read the first time and passed to a second reading.

Mr. DUNN, from the select committee to which was referred a petition of sundry citizens, of Rising Sun, on that subject, reported a bill to incorporate the Rising Sun insurance company;

Which was read the first time, and passed to a second reading.

Mr. MITCHELL moved that 150 copies of said bill be printed for the use of the members of the House;

Which motion did not prevail.

MR. McNARY, Chairman of the select committee, to which was referred the following resolution:

*Resolved*, That a select committee be appointed, to enquire into the expediency of amending the act entitled an act regulating the interest of money, in the State of Indiana, so that the interest of money or other commodity, shall be limited to the rate of six per cent. per annum,"

made the following report, (the balance of the committee dissenting) in addition to the bill heretofore reported by said committee on that subject, the committee having concurred to report the bill:

If wealth should produce opulence without art, labor or industry, the opulent must necessarily obtain his increase from those who exercise art, labor and industry; and he may, without exercise, study, genius or industry, continually receive the property, of other people's exertions, and he will necessarily accumulate property; and this will necessarily increase his income, till he, or his posterity are plunged into luxury, excess, extravagance and other abominable vices, that shall, like a whirlwind, scatter his golden feathers among others. That money may be got by honest industry, is certain and undeniable, but it is as certain and undeniable, that millions of industrious and frugal people toil from imbecile youth, to decrepid age, without being able to obtain riches. If the labor and diligence of the hand and head produce the riches and prosperity of civilized nations, should not every wise, just, and humane Governor and Legislator encourage and recompense the laborers who enrich the nations? and if their industry and labours are the sole causes of the opulence of nations, either remotely or immediately, they are the sole persons who ought to increase in opulence; but by interest, we see the lazy, the idle, the extravagant, and injurious, who are wise enough to keep within a vast income, bask in the sunshine of pleasure and vanity, adding houses to houses and lands to lands. Interest of

money, (say usury) is the effects of ancient usurpation, tyranny and conquests. The usurper who subjects his neighbors or individuals under his authority by gold, exacts for himself and compeers, pecuniary assistance; he knows that money is power, and he must have it by force or contrivance. This was the spirit of the barbarians who overthrew the Roman Empire, and conquered Europe.

When Columbus discovered the new continent, the Pope claimed it as his lawful property, by Divine right. How usurpers can prove their Divine rights to landed estates, given to them by individuals, for the loan of a few dollars to secure a home with, the forfeiture of their receipts or patents, if the money is not paid at a given day, say 150-100 per cent., I leave to politicians to make known. But if it be neither just nor right, it must be diabolical, and be derived from an opposite origin, and power being unjust, and consequently penurious. What has been the fact as well the theory of these things? Those people that give the greatest interest are the soonest precipitated into the abyss of destruction. Usury is like gaming, a dishonorable mode of getting money; vices in excess are the rapid destruction of nations as well as individuals; but if national or individual unrighteousness is moderate, it is only moderately hurtful; yet all vices are oppressive, and each is a tyrant. Abundance of tyrants, vices and oppressions, are begotten by abundant excesses of riches, in the hands of a few, who are thereby often rendered proud, haughty, luxurious, profligate and inhumane. This, however, is so concealed by its remote and contemplated mode of action, that the indigent part of society don't know the harm of it, and therefore never think of raising their voice against it.

1st. The borrower of money must pay his interest, and he must ever profit by the loan; to profit by the loan, he must oppress those he deals with, and those again oppress others; thus, by oppression, begins the opulent drone, and descends from richer to poorer, regularly down to the most needy class of society; who, oppressed to the utmost, starves or toils, night after night, day after day, in foul and fair weather, year after year, till they drop exhausted, poor and wretched into the silent tomb.

What says the Bible, the best authority of all authorities, "Lord, who shall abide in thy tabernacle, who shall dwell in thy holy hill? Answer. He that walketh uprightly and worketh righteousness and speaketh truth in his heart, he that putteth not out his money to usury, nor taketh reward against the innocent."

I will now refer you to the laws of England, among tyrants themselves. By a statute of Henry VIII, no person was permitted to lend any sum of money for any usury, upon forfeiture of the sum, with fine and imprisonment, upon the Kings pleasure. Thus you see by the laws of God, and by the usages of

other countries, that an usury law ought never to have been passed, for even kings, tyrants and despots have protested against it, viz: Henry VIII.

Mr. Huntington, from the select committee, to which was referred a resolution of the House on that subject, reported a bill to amend an act entitled "an act regulating weights and measures," approved, January 21st, 1818;

Which was read the first time and passed to a second reading.

The Speaker laid before the House the following communication from the Governor:

EXECUTIVE DEPARTMENT,  
*Indianapolis, Dec. 26th, 1832.*

TO THE HON. J. W. DAVIS,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—In compliance with a resolution of the House of Representatives, calling for the correspondence with the Secretary of War, authorizing the belief on my part, that the militia called into service the last summer would be paid by the General Government; I herewith lay before the House, the communications from the Secretary of War to this Department, bearing date the 3d of August, and the 29th Oct.

N. NOBLE.

Which communication was accompanied by the documents therein named.

*Ordered*, That the same be referred to the committee on military affairs.

Mr. Moore made the following report:

The committee on the judiciary to which was referred the petition of sundry citizens of Indiana, called the Farmers and Mechanacs' petition, relative to the propriety of exempting from execution, certain property in addition to that already exempt therefrom, by the present law, have had the same under consideration, and a majority of the committee are of opinion, that it is inexpedient to grant the prayer of the petitioners, but would suggest, that should this House think differently upon the subject, there is depending before the same, a bill amendatory of the law on that subject, upon which such amendments, as shall be deemed salutary, may be engrafted; the committee therefore ask to be discharged from the further consideration of this subject;

Which was read and concurred in by the House.

Mr. Palmer, after having obtained leave, made the following report:

The committee of ways and means to which was referred a resolution of this House, "directing an enquiry into the expediency of amending the revenue law, so as to introduce the ad valorem system of taxation"—have had that subject under their consideration, and have given it all that reflection an inquiry, which its importance and the deep interest involved would seem to demand. The committee in their action upon the interesting and delicate matter submitted for their deliberation, have been led to regard the subject of the public revenue as one of great importance to the State, and of particular interest and solicitude to the people. It is a matter that is brought home to the very pockets of our citizens. The burthens of sustaining the government, should be justly and equally distributed; all claim to participate equally in its protection and its blessings, hence, all should cheerfully acquiesce in that necessity, which obliges all governments to exact a portion of the property of each of its citizens to make the wheels of government progress: diffusing in its operation those guards and that safety, to persons and property, without which no civilized community can exist:

Although equal taxation is assumed as just, the nearest approach to which should at all times be sought, yet a community may be so circumstanced that a system of revenue which abstractly considered, all would admit to be a just and equitable system, but in consequence of such peculiar situation, its applicability would be inadmissible upon every principle of justice and of right. Such it is considered is the condition of Indiana, in reference to the adoption of the ad valorem system of taxation, at the present time. It is believed that the application of that system of taxation would be extremely unequal.

1st. Because as the proposed system contemplates that every species of property within the reach of any revenue law we could enact, should be taxed according to its assessed value; that the great diversity in the progress of improvements in the State; some portions being far advanced, others new and but little improved, the operation under the proposed system, would be to throw nearly the whole burthen of sustaining the revenue of the state upon the old counties.

2nd. Because, under a convention formed with the General Government, at the date of our admission into the Union, we are prohibited from the taxing lands of the United States whilst held by the government, and for five years after it shall dispose of the same. Although, under our present revenue laws, this inhibition produces an inequality in the public burthens sufficiently onerous upon the old counties; yet the application of the ad valorem system would increase that inequality, as not only lands



lands so exempted but all improvements thereon would be without the reach of our revenue laws.

3rd. Because, upon the adoption of the ad valorem system, public opinion will call for an abolition of the poll tax. A system of revenue objectionable to a large portion of our population, but forced upon us by our peculiar situation, and which is not yet sufficiently changed to admit of its repeal. From this source near half of our revenue is derived. The abandonment of this tax, when it is presumed would be consequent upon the adoption of the proposed system, would cause a vacuum in the treasury to be supplied by new taxes, which would undoubtedly fall upon the older and more improved parts of the State, and thereby exaggerate those inequalities in the public burthens, which it is apprehended already exist to a considerable extent.]

Added to these objections, may be urged strong and weighty reasons against the expediency of adopting the proposed system.

1st. The effects of that system would be to levy a burthensome tax upon the improvements of the country, thereby discouraging and embarrassing that spirit of industry and enterprise, so essential to the growth and advancement of our new State. It should be the policy of all governments, and more especially that of a young and rising State like ours, to extend its fostering arm, in giving all possible aid and encouragement to improvements in agriculture and the mechanic arts, which always meet with embarrassments and difficulties in newly settled countries. There have sprung up amongst us many small but flourishing manufacturing establishments. These are yet in an infant state, and require rather aid than discouragement from the government. It would seem that justice as well as sound policy would dictate, that the capital periled in the investments in these new beginnings, should be suffered to progress in their experiments, unincumbered by the burthens attendant upon the application of the proposed system.

2nd. Its inexpediency is obvious from the fact, that large quantities of unimproved lands are held within our borders by non-resident owners. The change suggested would, by transferring a portion of the taxes to improvements, nearly release those non-resident lands from taxation. The value of these lands is rapidly increasing in consequence of the neighbouring improvements, produced by the industry of the resident population. Would it not be the most gross injustice as well as a most ruinous policy to lighten the tax on non-resident lands, and place it on the improvements made and owned by our own resident citizens, and which in their progress, is constantly enhancing the value of such non-resident lands? The effects of such a policy would be to embarrass our own population, check industry and enterprise on the one hand, and invite a monopoly of our lands by non-resident speculators on the other; the increase of officers indispensable to

the new system, their want of experience in the new duties to be performed, the sparseness of many of our settlements, and the absence of any settled criterion of valuation, always incident to a new country, would undoubtedly cause great disparity in the assessment. These and other difficulties, certain to attend all great and essential changes in any system of revenue, would seem to present objections of much weight, and worthy the serious consideration of the Legislature. The rapid settlement and improvement of our State, warrants the expectation, that in a few years the denseness of our population, and the sameness of improvements throughout the State, will present a more propitious season for a change in our revenue system. A period when its application shall be just and equal, and its successful operation shall insure it the confidence and approbation of the people. The present revenue laws afford means adequate to all the present purposes of the government within the sphere of its ordinary action. This, together with the facility and promptness which attends all its movements, added to the suggestions previously brought into view, should be regarded as a barrier almost imperative against any great and radical change.

Influenced by these views here briefly presented, the committee deem it inexpedient to adopt the ad valorem system of taxation at the present time.

They therefore ask to be discharged from the further consideration of said resolution.

Which was read, when

Mr. Hannegan moved to re-commit said report and resolution to the committee of ways and means with instructions to report a bill pursuant to the terms of said resolution.

Mr. Mitchell moved to amend those instructions, so that the ad valorem system should be confined to raising a revenue for county purposes;

Which motion did not prevail.

On motion of Mr. Proffit,

Said instructions were so amended as to direct the committee to report a bill with provisions preparatory to the introduction of an ad valorem system of taxation.

On motion of Mr. Rariden,

The said motion to re-commit, was amended by striking out the instructions, and by making the reference to a select committee of Messrs. Hannegan, Bryant and Proffit, instead of the committee of ways and means.

The question was then put on said motion, as amended, And passed in the affirmative.

Mr. Sands, from the select committee, to which was referred a resolution of the House on that subject, (after have obtained leave) reported a bill appropriating \$400 out of the 3 per cent. fund, apportioned to Putnam county, for the purpose of building a bridge across the Big Walnut Fork of Eel river in said county of Putnam;

Which was read the first time and passed to a second reading.

Mr. Wallace, from the select committee, to which was referred a petition of sundry citizens on that subject, (after having obtained leave) reported a bill granting relief to Richard Palmer;

Which was read the first time and passed to a second reading.

A message from the Senate by Mr. Morris their Assistant Secretary:

MR. SPEAKER,

The Senate has passed an engrossed memorial of the House of Representatives, asking relief to William Warren, with an amendment, in which the concurrence of the House of Representatives is requested.

The said amendment was read and agreed to by the House.

Ordered, That the clerk inform the Senate thereof.

The House resumed the consideration of the resolution moved by Mr. Huntington, and undetermined at the adjournment of the House on yesterday, relative to memorializing Congress for land to aid in constructing a rail road from Evansville to Terre Haute.

The question recurring on the motion of Mr. Steel, to amend the proposed amendment, moved by Mr. Palmer to said resolution, viz: to strike out therefrom the word "rail" and insert in its place the word "turnpike," which several amendments, were depending when the resolution was last under consideration;

And being put,

It passed in the affirmative.

On motion of Mr. Ferguson of C.,

Said proposed amendment was further amended, by adding thereto the following, "and for a further grant of lands to aid in constructing a road from the falls of the Ohio river to Indianapolis."

On motion of Mr. Dunn,

Said amendment was further amended by making Napoleon a point in the road therein mentioned.

Mr. Henley moved to lay said resolution and proposed amendment on the table.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Buell, Cox, Dunn, Ferguson of U., Henley, Levenworth, Parker, Parks, Reid, Wilson and Wooden—12.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bradley, Bryant, Carter of M. & C., Clark, Claypool, Cravens, Crawford, Cristler, Crume, Culley, Davenport, Davis of Sh'y, Edwards, English, Ferguson of C., Finch, Fowler, Hamilton, Hanna, Hannegau, Hargrove, Heustis, Howell Huntington, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Moore, Osborn, Palmer, Payne, Peyton, Proffit, Pruett, Ribble, Roop, Sands, Schoonover, Shortridge, Skeen, Slaughter, Smith, Stanford, Steele, Vawter, Wallace, Watt, and Davis, Speaker—53.

Sosaid motion was decided in the negative.

The question then recurred upon the said amendent of Mr. Palmer as amended, and

Being put,

It passed in the affirmative.

A motion was made by Mr. Howell further to amend said resolution, by striking out the word "Evansville" and inserting in lieu of it, the words "Rockport via Boonsville:]"

Which was decided in the negative.

On motion of Mr. Steele,

The said resolution was further amended, by striking out therefrom the word "rail" and inserting in lieu thereof the work "turn-pike."

Mr. Vawter moved further to amend said resolution so as to make Vernon a point in the road, from Madison to Trail creek, named therein;

Which motion did not prevail.

Mr. Wallace moved further to amend said resolution, by adding thereto the following:

"And for a like donation to aid in the construction of a turn-pike road from Evansville via Princeton, Petersburg, Washington, Spencer and Martinsville, to Indianapolis.

Mr. M'Nary moved to postpone indefinitely the further consideration of said resolution and proposed amendment.



And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd Bradley, Clark, Crume, Culley, Davenport, Dunn, Ferguson of U., Hamilton, Henley, Heustis, Howell, Levenworth, Lewis, Mastin, M'Nary, Parker, Parks, Payne, Peyton, Reid, Roop, Skeen, Stanford, Vawter, Watt, Wilson and Wooden—29.

*And those who voted in the negative, are*

Messrs. Bradbury, Bryant, Buell, Carter of M. & C., Claypool, Cox, Cravens, Crawford, Cristler, Davis of Sh'y, Edwards, English, Ferguson of C., Finch, Fowler, Hanna, Hannegan, Hargrove, Huntington, Lowe, M'Junkin, Mitchell, Moore, Osborn, Palmer, Proffit, Pruett, Ribble, Sands, Schoonover, Shortridge, Slaughter, Smith, Steele, Wallace, and Davis, Speker—36.

So said motion was decided in the negative.

The question recurred on the amendment proposed by Mr. Wollace; and

Being put,

It passed in the affirmative.

On motion of Mr. Culley,

Said resolution was then amended, by adding the following:

“And also a donation of land to aid in the construction of a turnpike road from Lawrenceburgh to Napoleon.”

Mr. Proffit moved further to amend said resolution, by adding the following:

“And that said committee be instructed to find out, if possible, some new subject, on which to memorialize Congress.”

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Buell, Clark, Cox, Hamilton, Huntington, Levenworth, Mastin, M'Junkin, Parker, Parks, Proffit, Reid, Roop, Skeen and Watt—15.

*And those who voted in the negative, are*

Messrs. Bonner, Boyd, Bradbury, Bradley, Bryant, Carter of

M. & C. Claypool, Cravens, Crawford, Cristler, Crume, Culley, Davenport, Davis of Sh'y, Dunn, Edwards, English, Ferguson of C., Ferguson of U., Finch, Fowler, Hanna, Hannegan, Hargrove, Henley, Heustis, Howell, Lewis, Lowe, M'Nary, Mitchell, Moore, Osborn, Palmer, Payne, Peyton, Pruett, Ribble, Sands, Schoonover, Shortridge, Slaughter, Smith, Steele, Vawter, Wallace, Wilson, Wooden, and Davis, Speaker—49.

So said motion was decided in the negative.

On motion of Mr. Buell,

The question resolution was further amended by adding the following:

"And also, a donation of lands to aid in the construction of a turnpike road from Indianapolis by the way of Crawfordsville, Rob Roy and Williamsport to Chicago in the State of Illinois, said donation to be made out of the lands lying in the State of Indiana and the State of Illinois."

On motion of Mr. Vawter,

The resolution was further amended by adding thereto the following:

"And also, for a like donation to make a turnpike road from Lawrenceburgh in Dearborn county, by Versailles in Ripley county, Vernon in Jennings county, Brownstown in Jackson county, and Bedford in Lawrence county, to Carlisle in Sullivan county."

Mr. Howell moved further to amend the resolution by adding the following:

"Also, a like donation for the construction of a rail road from Troy on the Ohio river by Jasper, Mt. Pleasant, and Bloomington to Indianapolis."

Mr. Vawter moved to amend said proposed amendment, by striking out therefrom the word "rail" and inserting in lieu thereof the word "turnpike;"

Which motion passed in the affirmative.

The said amendment as amended, was then agreed to, by the House.

Mr. Parker moved that the further consideration of said resolution, be indefinitely postponed.

Pending that question,

A motion was made by Mr. Steele to lay the resolution on the table,

And decided in the negative,

The question was then put on the indefinite postponement thereof,

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Bradbury, Bradley, Carter of M. & C., Clark, Davenport, English, Ferguson, of U., Hamilton, Henley, Levenworth. Lewis, Parker, Parks, Peyton, Reid, Roop, Shortridge, Skeen, Smith, Stanford, Watt, Wallace and Wooden—24.

*And those who voted in the negative are,*

Messrs. Bonner, Bryant, Buell, Claypool, Cox, Craven, Crawford, Cristler, Crume, Culley, Davis of Sh'y, Dunn, Edwards, Ferguson of C., Frach, Fowler, Hanna, Hannegan, Hargrove, Heustis, Howell, Huntington, Lowe, Mastin, M'Juckin, M'Nary, Mitchell, Moore, Osborn, Palmer, Payne, Pruett, Ribble, Sands, Schoonover, Slaughter, Steele, Vawter, Wallace and Davis, Sp'k—40.

So said motion was decided in the negative.

On motion of Mr. Sands,

The said resolution was further amended by annexing thereto the following:

“And also, and like appropriation to establish a branch of the national road, from Manhattan, in Putnam county, by the way of Greencastle and Crawfordsville, to Lafayette, in Tippecanoe county.”

On motion of Mr. Levenworth,

Said resolution was further amended, by adding thereto, the following:

“Also, a donation for a turnpike road from the Horse shoe bend on the Ohio river, by the way of Livonia, Bono, and Leesville to Indianapolis.”

A motion was made by Mr. Wilson, further to amend said resolution by adding thereto, the following:

“And that if there should not be public lands enough in this State, to complete the said several works, that the deficiency be made up by public lands lying in the other States, and Territory;” and

Before a decision was had thereon,

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Woodruff, to whom leave of absence was heretofore given, appeared and resumed his seat.

The House resumed the consideration of the resolution upon the subject of memorializing Congress for a grant of land, to aid in the construction of a rail road from Evansville to Terre Haute, depending at the late adjournment.

Mr. Crume moved to amend the amendment proposed thereto, by Mr. Wilson (undetermined at the last adjournment,) by striking out all after the first word, and inserting in lieu thereof, the following:

"That said committee report, as to the propriety of asking a donation of land, sufficient to make a good turnpike road, from New Castle in Henry county, to Louisville, on the national road, and from thence along, on, and upon the State road leading from thence to Harrisburgh, Connersville and Dunlapville to the State line in the direction to Oxford, Ohio;"

Which motion passed in the affirmative.

Before the question was put on said amendment as amended, The previous question was called for by Mr. Henley, and seconded by two members, and was thereupon put, to wit:

Shall the main question be now put?

And passed in the affirmative.

The said main question was then put, to wit:

Shall the said resolution as amended be adopted?

And the ayes and noes being requested thereon, by two members.

*Those who voted in the affirmative are,*

Messrs. Bryant, Buell, Cox, Crume, Culley, Ferguson of C., Finch, Hamilton, Hanna, Hargrove, Heustis, Howell, Huntington, Lowe, Osborn, Palmer, Pruett, Sands, Schoonover, Vawter, Wallace, and Davis, Speaker—22.

*And those who voted in the negative are,*

Messrs. Boyd, Bradbury, Bradley, Carter of M. & C., Claypool, Crawford, Cristler, Davis of Sh'y, Dunn, Edwards, English, Ferguson of U., Fowler, Henley, Lane, Levenworth, Lewis, Livingston, Mastin, M'Nary, Mitchell, Moore, Parker,



Parks, Payne, Peyton, Rariden, Reid, Ribble, Roop, Shortridge, Skeen, Slaughter, Smith, Stanford, Steele, Watt, Wilson and Wooden—38.

So said resolution as amended was not adopted.

Mr. Parker moved that 500 copies of the report made on this morning, by Mr. Palmer, from the committee of ways and means on the subject of the ad valorem system of taxation, be printed for the use of the members of this House.

1000 and 300 copies were also severally named.

On the question to print 1000 copies,  
It was decided in the negative.

The question was then put on printing 500 copies,  
And determined in the negative.

And on the question to print 300 copies,  
It passed in the affirmative.

On motion of Mr. Henley,

*Resolved*, That the Governor be requested to lay before this House, the reports of the visitor to the State Prison, appointed agreeably to the 9th section of the act entitled an act for the regulation of the State Prison.

Mr. Hargrove moved the following resolution:

*Resolved*, That a select committee be appointed to enquire into the expediency of amending the revenue law so as to require the listers of the State and county revenue, of the several counties in this State, for the year 1833, to rate the lands therein, subject to taxation, making as near as may be, one-third thereof first rate, one-third second rate, and one-third thereof third rate; and also, whether any, and if any, what alteration is necessary to be made in the mode of appointing listers, &c., with leave to report by bill or otherwise.

Mr. Roop moved to amend said resolution, so as to require said listers to report the different proportions of 1st, 2d and 3d rate land, according to the fact, instead of dividing those rates into equal parts;

Which motion did not prevail.

Mr. Crume moved to amend said resolution by striking out so much thereof as requires listers to make three rates of land, and to direct them in lieu thereof to make five distinct rates of land.

Which motion was decided in the negative.

On motion of Mr. Vawter,

Said resolution was amended by referring the enquiry therein

Contemplated, to the committee of ways and means, instead of a select committee.

And on the question to adopt said resolution as amended;  
It was decided in the negative.

Mr. Wilson moved the following resolution:

*Resolved*, That the committee of ways and means be instructed to enquire into the propriety of amending the revenue law, so as to exempt all lands which have been sold, or which may hereafter be sold, by the State for Canal or road purposes, from taxation for five years, also the propriety of so amending the revenue laws as to exempt all reservations made to individuals at any of the treaties from taxation for five years, and that they report by bill or otherwise.

And on the question to adopt the same,  
It was decided in the negative.

Whereupon,

Mr. Buell moved to re-consider said vote;  
Which motion passed in the affirmative.

And the question recurring on the adoption of said resolution,  
It was carried in the affirmative.

A message was received from the Senate by Mr. Morris their assistant secretary:

MR SPEAKER,

The Senate has passed an engrossed bill of the House, entitled "an act for the benefit of persons who are likely to suffer by the destruction of the records of Parke county, with an amendment; also bills and a joint resolution of the Senate entitled as follows, to wit:

An act appropriating \$387.86 3-4 for the payment of the subscribers to the building of the State prison;

An act to amend the act, to provide for electing county and township officers, approved, January 30, 1831;

An act to authorize the expenditure of the three per cent. fund, heretofore appropriated to the counties of Huntington and Wabash; and

A joint resolution of the General Assembly of Indiana, to urge the speedy survey and sale of lands, recently obtained, and the establishment of a land office north of the Wabash river.

In which bills and joint resolution of the Senate, and the

amendment proposed to the bill of the House, the concurrence of the House of Representatives is requested.

The amendment proposed by the Senate to the engrossed bill of the House named in said message, was read and agreed to by the House.

*Ordered*, That the clerk inform the Senate thereof.

The engrossed bills and joint resolution of the Senate, named in said message, were severally read the first time and passed to a second reading.

Mr. Mitchell moved the following resolution:

*Resolved*, That the judiciary committee be instructed to report a bill, limiting the credit upon the sales of canal lands, to five years; and also, that the same committee be instructed to report a bill, to confine the operations upon the canal, to the actual amount of the cash received from the sales of the lands appropriated to that purpose, together with the interest accruing thereon, and that no loans shall be hereafter resorted to.

Mr. Stanford moved to amend said resolution, by striking out the words "judiciary committee" and inserting in lieu thereof these words "committee on canals and internal improvements."

Mr. Cravens called for a division of the question; and

Before any farther order was taken thereon,

The Speaker announced the arrival of the hour for passing to bills on their third reading.

The engrossed joint resolution of the General Assembly of the State of Indiana, relative to the President's proclamation on the subject of the present difficulties in South Carolina;

Was read the third time.

Mr. Daniel moved to re-commit it to the same select committee, who reported it, with instructions to amend the same, by the introduction of more temperate language;

Which motion was decided in the negative.

The question was then put,

Shall the joint resolution pass?

And the ayes and noes being requested thereon by two members.

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Bradley, Bryant, Buell, Carter of M. & C., Clark, Claypool, Cox, Crawford, Cristler,



Crume, Culley, Davis of Sh'y, Dunn, Edwards, English, Ferguson of C., Ferguson, of U., Finch, Fowler, Hanna, Hannegan, Hargrove, Heustis, Howell, Huntington, Lane, Livingston, Lowe, Mastin, M'Nary, Mitchell, Moore, Osborn, Palmer, Parker, Parks, Payne, Peyton, Pruett, Ribble, Sands, Schoonover, Shortridge, Slaughter, Stanford, Vawter, Wallace, Watt, Wilson, Wooden and Davis, Speaker—55.

*And those who voted in the negative are,*

Messrs. Bradbury, Cravens, Daniel, Davenport, Rariden, Reid, Roop, Skeen, Smith and Steele—10.

So said joint resolution passed.

*Ordered,* That the clerk carry it the Senate and ask their concurrence.

Mr. Finch moved that 1000 copies of said joint resolution be printed for the use of the members of the House.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bryant, Cox, Cristler, Dunn, Ferguson of C., Finch, Hannegan, Henley, Huntington, Lane, Levenworth, Livingston, Moore, Osborn, Palmer, Parker, Rariden, Ribble and Slaughter—20.

*And those who voted in the negative are,*

Messrs. Boyd, Bradbury, Bradley, Buell, Carter of M. & C., Clark, Claypool, Cravens, Crawford, Culley, Daniel, Davenport, Davis of Sh'y, Edwards, English, Ferguson of U., Fowler, Hamilton, Hanna, Hargrove, Heustis, Howell, Lewis, Lowe, Mastin, M'Nary, Mitchell, Parks, Payne, Peyton, Pruett, Reid, Roop, Schoonover, Shortridge, Skeen, Smith, Stanford, Steele, Vawter, Wallace, Watt, Wilson, Wooden, and Davis, Speaker—45.

So said motion was decided in the negative.

A motion was thereupon made by Mr. Lowe, that 500 copies of said joint resolution be printed.

And the ayes and noes being requested thereon by two members.



*Those who voted in the affirmative are,*

Messrs. Bell, Bryant, Cox, Crawford, Cristler, Ferguson of C., Finch, Hamnegan, Huntington, Lane, Levenworth, Lewis, Livingston, Lowe, Moore, Osborn, Palmer, Payne, Ribble, Schoonover, Slaughter, Steele, Wallace, Wooden and Davis, Speaker—25.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bradbury, Bradley, Buell, Carter of M. & C., Clark, Claypool, Cravens, Culley, Daniel, Davenport, Davis of Sh'y, Edwards, English, Ferguson of U., Fowler, Hamilton, Hanna, Hargrove, Heustis, Howell, Mastin, McNary, Mitchell, Parks, Peyton, Pruett, Reid, Roop, Shortridge, Skeem, Smith, Stanford, Vawter, Watt and Wilson—38.

So said motion was decided in the negative.

Mr. Roop then moved that 75 copies thereof be printed.

Mr. Crume proposed 250 copies.

A division of the question was called for by Mr. Rariden, And the first branch of said question was thereupon put, to wit:

Shall said joint resolution be printed?

Which question was decided in the negative.

The engrossed bill to relocate a part of the State road leading from Spencer in Owen county, to Danville in Hendricks county; and

The engrossed bill to establish a certain State road therein named,

Were severally read the third time and passed.

*Ordered,* That they be entitled acts, and that the clerk carry them to the Senate and ask their concurrence.

On motion of Mr. Steele,

The House proceeded to consider bills on their second reading.

The House resumed the consideration of the joint memorial of the General Assembly of the State of Indiana, on the subject of a road from the Michigan line to the Ohio line, undetermined when the House adjourned on last evening.

Whereupon,

Mr. Stanford withdrew his depending motion to commit the same.

Mr. Stanford then moved to amend said memorial, by striking

out the words "Wayne and Union counties" (being a part of the route of the road mentioned in said memorial) and by inserting in lieu thereof the following:

"And Henry counties, thence to Milton in Wayne county, and thence through Waterloo in Fayette county, Brownstown and Liberty in Union county."

Before a decision was had thereon, it was,

On motion of Mr. Rariden,  
Ordered, That said memorial and proposed amendment do lie on the table.

The House resumed the consideration of the bill to amend the act entitled "an act to regulate the interest of money in the State of Indiana—postponed on the 24th inst. by the call for the previous question.

Mr. Daniel moved to lay said bill together with the depending motion to commit the same, on the table;

Which motion was decided in the negative.

Mr. Rariden, thereupon, called for the previous question,

Which was seconded by two members, and before a decision was had thereon,

The House adjourned until to-morrow morning at 9 o'clock.

THURSDAY, DECEMBER 27, 1832.

The House met pursuant to adjournment.

Mr. Ruddick, to whom leave of absence was heretofore granted, appeared and resumed his seat.

The Speaker laid before the House the two following communications from the Governor, which were severally read, to wit:

(1st.)

INDIANAPOLIS, DEC. 27, 1832.

*The Hon. John W. Davis,*

*Speaker of the H. of Rep.*

SIR—The reports of the visitor to the State Prison, called

for by a resolution of the House, were some days since placed in the hands of Senator Lemon, the chairman of the committee on the State Prison, and will be transferred to the chairman of the committee of your House, so soon as the Senate's committee is done with them.

N. NOBLE."

(2nd.)

"EX. DEPARTMENT, }  
Indianapolis Dec. 26, 1832. }

*The Hon. John W. Davis,*

SIR—

Douglass Maguire, Esq. is the authorized bearer of any communication from the undersigned, to the branch of the legislature over which you preside.

N. NOBLE."

Mr. Hanna presented a petition of John Stevens asking remunerations for expenses in pursuing and capturing certain horse thieves, with accompanying certificates;

Which were read and referred to the committee on claims.

Mr. Vawter presented a petition of John Meek, praying to have his name changed to John Childs;

Which was read and referred to the committee on the judiciary,

Mr. Davis of Sh'y, presented two petitions of citizens of Shelbyville, praying a change in the Michigan road at the east end of that town;

Which were read and referred to the select committee to which was referred so much of the Governor's message as relates to the Michigan road.

Mr. Davenport presented a petition of sundry citizens of the counties of Madison, Hamilton and Marion, praying a change in the route of a part of the State road leading from Indianapolis to the Falls of Fall creek;

Which was read and referred to a select committee of Messrs. Davenport, Hanna and Bell.

Mr. Cristler presented a petition of John Conner, purchaser of part of a school section, in Fayette county, praying relief;

Which was read and referred to a select committee of Messrs. Cristler, Crume and Watt.

Mr. Osborn presented a petition of Joseph Shaw and others, citizens of town 17, Vermillion county, praying a special act to authorize the several school districts in said town, to appropriate part of the interest accruing, and to accrue on the funds arising



from the sale of their school section, toward building school houses;

Which was read and referred to a select committee of Messrs. Osborn, Bryant and Buell.

Mr. Palmer made the following report:

The committee of ways and means, to which was referred a resolution of this House, directing an enquiry into the expediency of placing the delinquent list in the hands of some constable of each township, for collection. And also, a resolution directing an enquiry into the expediency of causing lands, divided by county lines, to be listed in the county in which the owner may reside—and to empower the collectors to collect taxes levied on said horses, immediately after assessment—and to authorize collectors to take affidavits, in cases of illegal assessments. And also, a resolution of this House, directing an inquiry into the expediency of requiring the listing of taxable property, to commence on the 1st day of March, and the propriety of assessing the property to each individual, which such person shall own on the said 1st day of March—have had the several subjects under consideration, and have directed me to report a bill, embracing the several propositions, referred in said resolutions, entitled a bill to amend an act entitled “an act for assessing and collecting the revenue,” approved, February 10, 1831.

The said bill was read the first time and passed to a second reading.

Ma. Moore, from the committee on the judiciary, to which was referred the following resolution:

*Resolved*, That the judicary committee be instructed to enquire whether any, and if any, what amendments are necessary to be made, to the law, regulating descents, distribution and dower, to secure to the widows of testators, the same rights in the real and personal estate of their deceased husbands, as are secured to the widows of intestates, except when such widows may have accepted of dowers or legacies made to them, in lieu or satisfaction of dower,”

reported a bill to amend an act entitled “an act to regulate descents, distribution and dower,” approved, January 29, 1831;

Which was read the first time, and passed to a second reading.

Mr. Lane, from the committee on roads, to which was referred a petition of sundry citizens of Clark county, on that subject, reported a bill to repeal “an act to locate a State road, from New Albany to Lexington;

Which was read the first time and passed to a second reading.



Mr. Lane, from the same committee, to which was referred a petition of sundry citizens of the counties of Tippecanoe and Carroll on that subject, reported a bill to locate a State road from Lafayette in Tippecanoe county, to intersect a State road leading from Delphi, in Carroll county, to Lake Michigan;

Which was read the first time and passed to a second reading.

Mr. Sands, from the committee on roads, to which was referred a petition of sundry citizens of Putnam county, on that subject, reported a bill to establish a State road from Greencastle in Putnam county to the county line of Parke;

Which was read the first time and passed to a second reading.

The House resumed the consideration of the resolution offered on yesterday by Mr. Mitchell, instructing the judiciary committee to report a bill limiting the sales of canal lands to five years; to confine the operations on the canal to the actual amount of cash received from the sales of the lands appropriated to that purpose, and that no further loans be resorted to, and arrested by the arrival of the hour for passing to bills on their 3d reading.

The question recurring on the motion of Mr. Stanford, which was to strike out "judiciary committee" and insert in lieu thereof "committee on canals and internal improvements."

Mr. Cravens having called for a division of the question,  
It was put on striking out,  
And passed in the affirmative.

The question recurred on filling the blank in said resolution with "committee on canals and internal improvements;"

Which motion was decided in the negative.

Mr. Cravens moved to fill the blank in said resolution with the words "a select:"

Which passed in the affirmative.

Mr. Stanford moved further to amend said resolution, by striking out so much as makes it peremptory on the committee to report a bill, and to direct in lieu thereof, an enquiry into the expediency of such a measure;

Which motion did not prevail.

Mr. Davenport moved to lay said resolution on the table;  
Which motion passed in the affirmative.

Mr. Smith moved the following resolution:

*Resolved*, That the committee on claims, to whom was referred the petition of — Stephens for remuneration of money expended in the pursuit of one Hopkins, a supposed horse thief, be instructed to enquire into the expediency of paying others for similar services and report a bill.

Mr. Crume moved to strike out so much as requires said committee to report a bill;

Which motion was carried in the affirmative.

Said resolution as amended was then adopted.

On motion of Mr. Dunn,

*Resolved*, That the Auditor of State be requested to furnish this House with a statement of the full amount of monies paid by the State, to Judges of the probate courts, for services rendered in the 1832.

On motion of Mr. Moore,

*Resolved*, That the committee on roads be instructed to enquire if any, and what amendment may be necessary to the 36th section of the act entitled an act for the opening and repairing public roads and highways, approved, Feb. 10, 1831;

With leave to report by bill or otherwise.

On motion of Mr. Watt,

*Resolved*, That the judiciary committee enquire into the expediency of so amending the statute relative to crime and punishment, as to make it the same crime, and subject to the same punishment on those who make any contention or disturbance at a store house, as is provided in the 66th section of that statute, against those who make a contention or disturbance at any public house, court or election;

With leave to report by bill or otherwise.

On motion of Mr. Sands,

The vote taken on the adoption of said resolution, was re-considered.

Mr. Payne moved to amend said resolution, by inserting the word "grocery" after the word "store house;"

Which motion was carried in the affirmative.

Mr. Mitchell moved further to amend the same by adding after the word "grocery" "any public meetings or gatherings;"

Which motion did not prevail.

Said resolution as amended was then agreed to.

Mr. Smith moved to take up the resolution heretofore moved by him, and laid on the table, directing an enquiry into the constitutionality of Mr. Lowe, a member of this House, retaining his seat.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Buell, Carter of O., Claypool, Cravens, Culley, Dunn, Edwards, Ferguson of C., Goodbar, Hanna, Hargrave, Huntington, Levenworth, Lewis, Livingston, Mastin, M'Nary, Moore, Peyton, Pruett, Rariden, Reid, Roop, Schoonover, Slaughter, Stanford, Steele, Vawter, Wooden and Woodruff—31.

*And those who voted in the negative, are*

Messrs. Bell, Boyd, Bradley, Bryant, Carter of M. & C., Clark, Cox, Crawford, Cristler, Crume, Daniel, Davenport, Davis of Sh'y, English, Finch, Fowler, Hannegan, Henley, Heustis, Howell, Lane, M'Junkin, Mitchell, Osborn, Palmer, Parks, Payne, Proffit, Ribble, Ruddick, Sands, Shortridge, Skeen, Wallace, Watt, and Davis, Speaker—36.

So said motion was decided in the negative.

Mr. Carter of O. moved the following resolution:

*Resolved*, That the committee of ways and means be instructed to enquire into the expediency of amending the act entitled "an act for assessing and collecting the revenue" approved, Feb. 10, 1831, so as to reduce the rates of taxation on all real and personal property, together with a reduction of the poll tax, for both State and county purposes, and report by bill or otherwise.

On motion of Mr. Schoonover,

The same was amended, by striking out so much thereof as relates to a poll tax.

Mr. Howell moved further to amend said resolution by striking out the words "both" and "and county";

Which motion did not prevail.

Mr. Vawter moved further to amend the resolution, by striking out the word "State."

Before a decision was had thereon, it was,

On motion of Mr. Palmer,

*Ordered*, That said resolution and proposed amendment, be laid on the table.

Mr. Hanna moved the following resolution:

*Resolved*, That the committee on public buildings, be instructed to enquire into the expediency of placing around the Governor's house, a circular board fence, with gates and steps, such as may be deemed proper;

Which was read, and

On motion of Mr. Bryant,  
Laid on the table.

On motion of Mr. English,

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of changing the time of holding the circuit court, of Scott county, so that the same shall be holden on the first Monday in March and 4th Monday in August, in each year.

Mr. Pruett moved the following resolution:

*Resolved*, That the judiciary committee be requested to enquire into the justice and expediency, of requiring the commissioner of the three per cent. fund, in each county, where the money is not otherwise appropriated, to expend an equal proportion thereof, on each State road, in the county, in proportion to the length thereof;

With leave to report by bill or otherwise.

On motion of Mr. Vawter,

The said resolution was so amended, as to refer the enquiry to the committee on roads instead of the judiciary committee.

On motion of Mr. Bryant,

It was further amended by inserting after the word "appropriated" these words "by the board doing county business for such county."

The question was then put,

Shall said resolution as amended, be adopted?

And decided in the negative.

Mr. Davenport, after having obtained leave, presented a bill to amend an act entitled "an act to encourage the killing of wolves;"

Which was read the first time; when,

Mr. Lewis moved to reject the same;

Which motion was decided in the negative.

*Ordered*, That said bill pass to a second reading.

Mr. Moore, after having obtained leave, presented a bill to authorize the Floyd circuit court to hold a special session;

Which was three times read, considered as engrossed (the rules of the House having first been dispensed with) and passed.

*Ordered*, That it be entitled act, and that the clerk carry it to the Senate and ask their concurrence.

Mr. Bryant, after having obtained leave, presented a bill to provide for the location of a State road from Rockville to Rob Roy;

Which was read the first time and passed to a second reading.



A message from the Governor by Mr. Maguire his private secretary:

MR. SPEAKER,

I am instructed by His Excellency the Governor to notify the House of Representatives, that, on yesterday, a bill which originated in this House, entitled "an act for the relief of John F. Jones, collector of Bartholomew county," received his approbation and signature.

The House then proceeded to consider the orders of the day; and

Resumed the consideration of the bill to amend an act entitled "an act regulating the interest of money, in the State of Indiana," approved, Feb. 1, 1841, depending at the last adjournment.

The previous question (being the depending question) was then put, to wit:

Shall the main question be now put?

And the ayes and noes being requested thereon, by two members.

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Carter of M. & C., Carter, of O., Cox, Cravens, Crawford, Cristler, Davenport, Davis of Sh'y, Edwards, Ferguson of C., Ferguson of U., Finch, Goodbar, Hamilton, Hanna, Henley, Lane, Lewis, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Palmer, Pruett, Rariden, Ribble, Ruddick, Sands, Schoonover, Shortridge, Slaughter, Stanford, Steele, Wallace, Watt, Wilson, Wooden, Woodruff and Davis, Speaker—46.

*And those who voted in the negative are,*

Messrs. Bryant, Buell, Clark, Claypool, Crume, Culley, Daniel, Dunn, English, Fowler, Hannegan, Hargrove, Heustis, Howell, Huntington, Levenworth, Moore, Osborn, Parker, Parks, Payne, Peyton, Proffit, Reid, Roop, Skeen, Smith, and Vawter—28.

So said previous question passed in the affirmative.

The said main question was then put, to wit:

Shall said bill be engrossed and read a third time on to-morrow?

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Carter of M & C., Cox, Cravens, Crawford, Cristler, Crume, Culley, Daniel, Davenport, Davis of Sh'y, Dunn, Edwards, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hanna, Hannegan, Hargrove, Henley, Huntington, Lane, Lewis, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Palmer, Parker, Parks, Peyton, Pruett, Rariden, Ribble, Ruddick, Sands, Schoonover, Shortridge, Slaughter, Stanford, Steele, Wallace, Watt, Wilson, Wooden, Woodruff and Davis, Speaker—57.

*And those who voted in the negative are,*

Messrs. Bryant, Buell, Clark, Claypool, English, Heustis, Howell, Levenworth, Moore, Osborn, Payne, Proffit, Reid, Roop, Skeen, Smith, and Vawter—17.

So it was,

*Ordered*, That said bill be engrossed and read a third time on to-morrow.

The House adjourned until 2 o'clock, P. M.

*2 o'clock, P. M.*

The House met pursuant to adjournment.

Mr. Parker, from the joint committee of enrolled bill, reported that they have on this day compared the enrolled with the engrossed bill, entitled an act for the benefit of persons who are likely to suffer by the destruction of the records of Parke county; and also,

An act to amend an act to appropriate part of the three per cent. fund, and for other purposes, approved, Feb. 10, 1832; also,

A memorial asking relief to William Warren; also,

A joint resolution to procure appropriations to construct a safe harbor, and to erect a Light House at the mouth of the Des Chermains on Lake Michigan;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills, memorial and joint resolution.

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

The House resumed the consideration of the joint resolution on military affairs, arrested on the 24th inst. by the arrival of the hour for passing to bills on their third reading.

The question recurred on the motion of Mr. Cravens, to amend the amendment proposed thereto by Mr. Steele, to wit, by striking all out therefrom, after the word "perpetuated,"

And being put,

It passed in the affirmative.

On motion of Mr. Hanna,

Said amendment was further amended by adding thereto the following:

"That in the opinion of this General Assembly, the militia of the United States, might be rendered much more efficient by reducing the enrollment thereof, so as to embrace those only between the ages of 21 and 35, and raising the appropriation to arm the whole body of the militia, to \$400,000 per annum."

The said amendment as amended was then agreed to by the House.

On motion of Mr. Hanna,

The said bill was recommitted to the committee on military affairs.

On motion of Mr. Livingston,

Mr. Sands was added to the committee on military affairs.

On motion of Mr. Howell,

Mr. Wilson was added to the same committee.

On motion of Mr. Palmer,

The bill for the relief of William C. Bramwell, was recommitted to a select committee of Messrs. Palmer, Cravens, Vawter, Ruddick and Woodruff.

A message from the Senate by Mr. Morris, their Assistant Secretary.

MR. SPEAKER,

The Senate has passed engrossed bills of the House entitled acts and joint resolutions as follows, to-wit:

An act to locate a state road from Williamsport in Warren county by the way of Lebanon and Chesapeake to the State line.

An act to locate a State road from Martinsville, in Morgan county, to intersect the State road leading from Madison to Indi-

anapolis at Edinburgh, in Johnson county, by the way of Morgantown, in said Morgan county.

An act to locate a State road from where the Michigan road crosses Yellow river, by the way of the county seat of Laporte county, to the mouth of Trail creek.

An act to extend the privileges granted to the Harrison and White Water bridge company.

An act to establish a state road in Vigo county.

An act to legalize the proceedings of the school commissioner of Sullivan county.

An act to authorizing John Newby of Jackson county, to expend certain monies appropriated out of the three per cent. fund, on the Madison and Brownstown State road.

An act to amend the act entitled an act to incorporate Hanover Academy.

An act to legalize the proceedings of the commissioner appointed to mark and locate a State road from the town of Lagrange to Logansport.

A joint resolution on the subject of a rail road from the Mississippi river to the city of Washington; and

A memorial on the subject of the National road.

The first seven bills and the joint resolution and memorial without, and the two latter named bills with amendments to each, in which amendments the concurrence of the House of Representatives is requested.

Mr. Henley moved to amend the first amendment of the Senate to the engrossed bill of the House to amend the act entitled "an act to incorporate Hanover Academy," which amendment is by adding to the bill the following proviso:

"And provided also, that if any improper influence or means should be used or attempted to be used, by the Trustees or Faculty to teach or inculcate sectarian tenets or doctrines to the students of said College, such act or attempt shall be considered a forfeiture of this charter,"

By adding thereto the following:

"No theological seminary shall be attached to the said College of a sectarian character, nor shall sectarian tenets or principles be taught or inculcated in the said College, to any person while a student thereof by any president, tutor, professor or instructor thereof;"

Which motion was decided in the negative.

The question was then put,



Will the House agree to said amendment, of the Senate to said bill?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Clark, Culley, Daniel, Fowler, Henley, Heustis, Howell, Huntington, Lane, Levenworth, Livingston, Parks, Ruddick, Sands, Schoonover, Skeen, Slaughter, Vawter, and Wooden—20.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Claypool, Cox, Cravens, Crawford, Cristler, Crume, Davenport, Davis of Sh'y, Dunn, Edwards, English, Ferguson, of C., Finch, Goodbar, Hamilton, Hanna, Hannegan, Hargrove, Lewis, Lowc, Mastin, M'Junkin, M'Nary, Mitchell, Moore, Osborn, Palmer, Parker, Payne, Peyton, Proffit, Pruett, Rariden, Reid, Ribble, Shortridge, Smith, Stanford, Steele, Wallace, Watt, Wilson, Woodruff and Davis, Sp'k—51.

So the House disagreed to said amendment.

*Ordered,* That the clerk inform the Senate thereof.

The second amendment of the Senate to said bill was then,

On motion of Mr. Palmer,

Amended by striking out the words "course of instruction shall be upon," and inserting other words, so as to make the amendment read "that it shall be one of the fundamental principles of said College, that the manual labor system shall be observed and continued in said institution;" and

On the question to concur in said amendment as amended;

It was decided in the negative.

The third amendment of the Senate to said bill and their amendment to the bill of the House last named in said message, were severally read and agreed to.

*Ordered,* That the clerk inform the Senate thereof.

The bill to provide for appropriating the Wabash fund, was read the second time.

Mr. Bryant moved to amend said bill by striking out the second section, and inserting in lieu thereof the following:

Sec. 2. The said Agent having received said fund, shall divide the same equally between the counties of Knox, Sullivan, Vigo,

Parke and Vermillion, and immediately give notice of the reception and division thereof, to the several county Agents for the counties aforesaid, and the said county Agents are hereby authorized to draw upon and receive from the said Agent of the three per cent. fund, the full and entire amount of said Wabash fund that may be allotted to their respective counties, and apply the same under the direction of the several boards doing county business in said counties to the improvement of roads or bridges.

Mr. Shortridge moved to amend said amendment by inserting after the word "Vermillion," the following: "Fountain, Tippecanoe and Warren."

On motion of Mr. Hannegan, said bill and proposed amendments were laid on the table; and

The House adjourned until to-morrow morning at 9 o'clock.

FRIDAY, DECEMBER 28, 1832.

The House met pursuant to adjournment.

The Speaker laid before the House, a communication from the Adjutant General, in obedience to a resolution of the House, requesting the Adjutant General to lay before the House, the time when the 22d brigade of the 9th division of Indiana militia, was set off, when the same was attached to the 9th division, when and by whom an election was ordered for Brigadier General, when the elections were holden, how many votes were given and for whom, &c., with an accompanying document; which were read and referred to the committee on military affairs.

The Speaker laid before the House a communication from J. M. Ray, Secretary of the Indiana Colonization Society, requesting in behalf of said Society the use of the Representative Hall, for their Anniversary meeting on Monday evening next, and also, for the performance of Divine service by the Rev. Doctor Wylie, on Sunday next;

Which was read; and

On motion of Mr. Stanford,

Ordered. That the use of the Hall be granted for those several

purposes and that Mr. Parks be a committee to communicate that fact to Doctor Wylie.

A message from the Senate by Mr. Moras, their Assistant Secretary.

MR. SPEAKER,

The Senate has passed an engrossed bill entitled "an act to locate a State road from Montezuma to intersect the State road leading from Danville to Montezuma;

In which I am directed to ask the concurrence of the House of Representatives.

The said bill was read the first time and passed to a second reading.

Mr. Ribble presented a remonstrance of Richard Jones, and others against the relocation of the county seat of Grant;

Which was read and referred to the same select committee to which was referred a petition on the same subject.

Mr. Levenworth presented a petition of 543 citizens of this State, praying for a State road from New Albany, to Jasper;

Which was read and referred to the committee on roads.

Mr. Moore made the following report:

The judiciary committee, to which was referred the petition of John Jones, now confined in the jail of Bartholomew county, in this State, upon a charge of murder, petitioning for the passage of a law, to change the venue of his case. And also,

Two engrossed bills originating in this House, one entitled "a bill for the relief of George W. Dewees," and the other entitled "a bill to authorize the Spencer circuit court to change the venue in a certain case therein named," recommitted to said committee, with instructions to report a general law, regulating the mode of changing the venue in criminal cases, have had the same under consideration, and report a bill to amend an act entitled "an act to prescribe the mode of changing the venue," approved January 28, 1824;

Which bill was read the first time and passed to a second reading.

Mr. Finch moved that the two engrossed bills named in said report be indefinitely postponed.

Pending that question, it was

On motion of Mr. McJunkin,

Ordered, That they do lie on the table.

Mr. Dunn, from the judiciary committee to which was com-

mitted the engrossed bill from the Senate to amend the act entitled "an act authorizing domestic attachments and regulating the proceedings thereon" approved January 19, 1831, reported the same without amendment.

The said bill was then,

*Ordered* to be read a third time on to-morrow.

Mr. Rariden, from the committee on education, to which were referred sundry petitions and resolutions, on that subject, reported a bill to amend an act entitled "an act incorporating congressional townships and providing for public schools therein;"

Which was twice read, the rules of the House having first been dispensed with) and committed to a committee of the whole House for Monday next.

Mr. Culley moved that 100 copies thereof be printed for the use of the members of this House.

500, and 75 copies were also severally named.

Mr. Steele called for a division of the question.

The first brance thereof was then put, to wit:

Shall said bill be printed?

And passed in the affirmative.

The questions to print 500, and 100 copies were then severally put, and negatived, and

On the question to print 75 copies,

It was carried in the affirmative.

Mr. Bryant, from the committee on enrolled bills reported, that they did on this day, present to the Governor, for his approval and signature,

A bill "entitled an act, for the benefit of persons who are likely to suffer by the destruction of the records of Parke county;

An act to amend an act to appropriate part of the three per cent. fund, and for other purposes, approved Feb. 10, 1832.

A memorial, asking relief to William Warren; and

A joint resolution to procure appropriations to construct a safe harbour, and to erect a Light House at the mouth of Des Chermis on Lake Michigan.

Mr. Culley, from the committee on claims, to which was referred the petition of James M'Farland, reported a bill for the relief of the petitioner;

Which was read the first time and passed to a second reading.

Mr. Lane, from the committee on roads, to which was recommended an engrossed bill, to amend the act entitled an act for pening and repairing public roads and highways, approved Feb.



10th, 1831, with instructions to change the law, in regard to road districts, and supervisors of districts, and so arrange the hands and supervisors, that they may be appointed on the roads next adjoining where they may live; reported the bill with an amendment pursuant to said instructions;

Which was read, and

On motion of Mr. Palmer,

Said bill and proposed amendment were recommitted to a committee of the whole House, for to-morrow.

Mr. Lane, from the same committee to which was referred a petition of citizens of Bartholomew and Johnson counties on that subject, reported a bill to re-locate part of the Mauk's ferry State road;

Which was read the first time and passed to a second reading.

A message from the Senate by Mr. Morris their Assistant Secretary:

MR SPEAKER,

The Senate recede from the first amendment proposed by them to the engrossed bill of the House entitled "an act to incorporate the Hanover Academy, but insist upon their second amendment to said bill.

On motion of Mr. Palmer,

The House insisted on their disagreement to the said second amendment of the Senate; and

On further motion of Mr. Palmer,

Ordered, That a committee of free conference be appointed on the part of the House, to take into consideration with a similar committee of the Senate, the disagreeing vote of the two Houses on the subject of said amendment;

Whereupon,

The Speaker appointed Messrs. Palmer and Rariden that committee.

Ordered, That the clerk inform the Senate thereof.

Mr. Vawter, from the select committee, to which was referred the bill for the better regulation of towns, reported the same with one amendment.

On motion of Mr. Cravens,

The said amendment was amended by striking out the word "stud horse," wherever it occurs and inserting in lieu thereof, the word "stallion."

The said amendment as amended was then agreed to by the House.

On motion of Mr. Buell,

The said bill was further amended by adding thereto the following:

"And it is hereby made the duty of all persons who are now, or may be hereafter, by law, conservators of the peace, upon view, to give information against all such offenders."

The said bill was then,

*Ordered to be engrossed and read a third time to-morrow.*

Mr. Parker, from the select committee, to which was committed the bill to amend an act entitled "an act regulating marriages," approved February 4, 1831, reported the same without amendment.

On motion of Mr. Steele,

The said bill was re-committed to a committee of the whole House, for Monday next.

Mr. Wallace made the following report:

"The select committee to whom was referred a resolution of this House, requesting them to take into their consideration, the propriety of providing by law, a more efficient mode of taking care of paupers, in the several counties in this State, and whether it would be good policy or not, to provide by law, for the erection of one asylum in each judicial district, have had the same under their consideration; and have directed me to report that it is inexpedient to legislate on that subject, at this time, and ask to be discharged from the further consideration thereof;"

Which report was read and concurred in, and the committee were accordingly discharged.

On motion of Mr. Howell,

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of amending the 2d section of an act to amend an act entitled an act regulating the jurisdiction and duties of justices of the peace, approved Feb. 10th, 1831,

With leave to report by bill or otherwise.

Mr. Wooden moved the following resolution:

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of so amending the law regulating public ferries, as to make it the duty of all public ferrymen in this State, to cross over all Preachers of the Gospel, going to and returning from the place appointed for public worship; also, all militia officers, and privates going to and returning from musters, free of ferriage who may have necessarily to cross any water course, on

which there may be established ferries, and to report by bill or otherwise;

Which was read, when

Mr. Proffit moved to amend the same, by striking out so much thereof as relates to "Preachers of the Gospel."

Mr. Bryant moved to postpone the further consideration of said resolution and proposed amendment indefinitely.

Mr. Howell moved that the same do lie on the table.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Crawford, Daniel, English, Henley, Howell, Parker, and Stanford—7.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Carter of O., Clark, Claypool, Cox, Cravens, Cristler, Crume, Culley, Davenport, Davis of Sh'y, Dunn, Edwards, Ferguson, of C., Ferguson of U., Flach, Fowler, Hamilton, Hanna, Hannegan, Hargrove, Heustis, Huntington, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Moore, Osborn, Palmer, Parks, Payne, Peyton, Proffit, Pruett, Reid, Ribble, Roop, Ruddick, Sands, Schoenover, Shortridge, Skeen, Slaughter, Smith, Steele, Vawter, Wallace, Watt, Wooden, Woodruff and Davis, Sp'k—63.

Sosaid motion was decided in the negative.

The question recurring on the motion of Mr. Bryant to postpone indefinitely the further consideration thereof.

And the ayes and noes being requested thereon by two members.

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Carter of O., Clark, Claypool, Cravens, Crawford, Cristler, Crume, Culley, Daniel, Davis of Sh'y, Dunn, Edwards, Ferguson of C., Ferguson of U., Fowler, Hamilton, Hargrove, Henley, Heustis, Howell, Huntington, Levenworth, Lewis, Livingston, Lowe, M'Junkin, M'Nary, Mitchell, Moore, Osborn, Parker, Parks, Payne, Peyton, Pruett, Proffit, Reid, Ribble, Roop,



Sands, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Steele, Vawter, Wallace, Watt, Woodruff and Davis, Speaker—58.

*And those who voted in the negative are,*

Messrs. Cox, Davenport, English, Finch, Hanna, Hannegan, Mastin, Palmer, Ruddick and Smith—10.

So said motion passed in the affirmative.

Mr. Sands moved the following resolution:

*Resolved*, That the judiciary committee be instructed to enquire into the constitutionality of the 58th section of the law regulating crime and punishment; and also, the expediency of repealing the same.

On motion of Mr. Stanford,

So much of said resolution as relates to instructing said committee to enquire into the constitutionality of said section was stricken out.

Said resolution, as amended, was then agreed to by the House.

On motion of Mr. Payne,

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of repealing the 9th section of the act, entitled an act regulating the fees and salaries of the several officers and persons therein named, approved February 7th, 1831, and that they report by bill or otherwise.

Mr. Cravens moved the following resolution:

*Resolved*, That the committee of ways and means be instructed to enquire into the expediency of so amending an act entitled "an act for assessing and collecting the revenue, approved February 10, 1831, as to provide for the election of one assessor in each election district, instead of being appointed as they now are, by the board doing county business;

With leave to report by bill or otherwise.

On motion of Mr. Crume,

Said resolution was amended by inserting after the words "election district," these words, "and for the election of county treasurer, by the qualified voters of the county."

Mr. Lowe moved further to amend the same by providing for the election of "trustees of county seminaries;"

Which motion was decided in the negative.

Said resolution, as amended, was then agreed to by the House.



Mr. Carter of O. moved the following resolution:

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of so amending the act regulating the fees and salaries of the several officers and persons therein named, approved February 7th, 1831, as to reduce the fees of the several officers mentioned in the first section of the said act; and report by bill or otherwise.

Mr. Hannegan moved to lay said resolution on the table;

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bryant, Carter of M & C., Cravens, Crume, Dunn, Edwards, English, Ferguson of U., Hannegan, M'Jurkin, Moore, Palmer, Parker, Reid, Ribble, Roop, Skeen, Wallace and Watt—20.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bradbury, Bradley, Buell, Carter of O., Clark, Claypool, Cox, Crawford, Cristler, Culley, Davenport, Davis of Sh'y, Ferguson of C., Finch, Fowler, Hamilton, Hanna, Hargrove, Henley, Heustis, Howell, Huntington, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Nary, Mitchell, Osborn, Parks, Payne, Peyton, Pruett, Ruddick, Sands, Schoonover, Shortridge, Smith, Stanford, Steele, Vawter, Wooden, Woodruff and Davis, Speaker—47.

So said motion did not prevail.

The question was then put,  
Shall said resolution be adopted?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bradbury, Buell, Carter of O., Clark, Claypool, Cox, Crawford, Culley, Daniel, Davenport, Davis of Sh'y, English, Finch, Fowler, Hamilton, Hanna, Hargrove, Henley, Heustis, Howell, Huntington, Levenworth, Lowe, Mastin, M'Nary, Mitchell, Moore, Parks, Payne, Peyton, Profit, Pruett, Ribble, Ruddick, Sands, Schoonover, Shortridge, Skeen, Slaughter, Smith, Stanford, Steele, Vawter, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—50.

*And those who voted in the negative, are*

Messrs. Bell, Bradley, Bryant, Garter of M. & C., Cravens, Cristler, Crume, Dunn, Edwards, Ferguson of C., Ferguson of U., Hannegan, Lewis, Livingston M'Junkin, Osborn, Palmer, Parker, Reid and Roop—20.

So said resolution was adopted.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Buell,

*Resolved*, That the committee of ways and means be instructed to enquire into the expediency of amending the revenue law, so as to require the duties now performed by the county collector to be done by the county treasurer, and of doing away the necessity of a personal demand of taxes—and of requiring the treasurer to attend a limited time in each township, and afterwards at his office at the county seat to receive such taxes; and to report by bill or otherwise.

On motion of Mr. M'Junkin,

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of amending the act entitled "an act regulating the practice in suits at law," approved January 29th, 1831, by reincorporating into said act (by supplement thereto) the 7th section of the act entitled an act amendatory of the law and for the better advancement of justice, approved January 20th, 1826;

With leave to report by bill or otherwise.

On motion of Mr. Crume,

*Resolved*, That the judiciary committee be requested to enquire whether any, and if any, what amendment is necessary to make it a crime to compound with persons other than thieves, who may violate the penal laws of this state; and make report.

On motion of Mr. Crawford,

*Resolved*, That the committee on roads be instructed to enquire into the expediency of locating a State road from the county seat of St. Joseph county, by the way of the mouth of Little Elkhart river, and the county seat of Lagrange county, to the East line of this State, in the direction of Vistula on the Maumee Bay in the State of Ohio; with leave to report by bill or otherwise.

On motion of Mr. M'Nary,

The resolution offered by Mr. Daniel and laid on the table on the 12th inst., on the subject of exempting certain property, in addition to what is already exempted from execution, and the abolition of imprisonment for debt, was taken up.

Mr. M'Junkin moved to postpone indefinitely the further consideration of said resolution and proposed amendments thereto.

And the ayes and noes being requested thereon, by two members.

*Those who voted in the affirmative are,*

Messrs. Bradbury, Bryant, Cravens, Cristler, Hamilton, Hargrove, Lane, Levenworth, Lewis, M'Junkin, Rariden, Reid, Rudick, Schoonover, Skeen, Stanford and Steele—17.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Bradley, Buell, Carter of M. & C., Clark, Claypool, Cox, Crawford, Crume, Culley, Dainel, Davenport, Davis of Sh'y, Dunn, Edwards, English, Ferguson of C., Ferguson of U. Finch, Fowler, Hanna, Henley, Howell, Huntington, Livingston, Lowe, Mastin, M'Nary, Mitchell, Moore, Osborn, Palmer, Parks, Payne, Peyton, Proffit, Pruett, Ribble, Roop, Sands, Shortridge, Slaughter, Smith, Vawter, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—51.

So said motion was decided in the negative.

The question recurring on the motion of Mr. Roop to amend the amendment proposed thereto by Mr. Huntington, to wit: by adding to such amendment, a clause that one additional bed and bedding be exempt from execution, in favour of persons having families (the said amendment of Mr. Huntington proposing to strike out all of the resolution except what relates to the abolition of imprisonment for debt.

It was thereupon put,  
And decided in the negative.

The question was then put on the amendment proposed thereto by Mr. Huntington;  
Which was carried in the affirmative.

Mr. Bryant moved to strike out the words "the judiciary" and insert in lieu thereof the words "a select;"

Which motion passed in the affirmative.

The resolution, as amended, was then agreed to.



*Ordered*, That Messrs. Daniel, Huntington, and Proffit be that committee.

A message from the Governor by Mr. Maguire his private secretary:

MR. SPEAKER:

I am instructed by His Excellency the Governor to notify the House of Representatives, that he did, on this day, approve and give a bill entitled "an act for the benefit of persons who are likely to suffer by the destruction of the records of Parke county," and also, a memorial asking relief to William Warren, both of which originated in this House of Representatives.

Mr. Vawter moved the following resolution:

*Resolved*, That the member of this House from the county of Jennings, have leave to withdraw the receipts and papers now on file, which accompanied the petition of John Boner, made to the House of Representatives, at the session of 1831-2;

Which was read, and

On motion of Mr. Cravens,  
The same was laid on the table.

On motion of Mr. Fowler,

*Resolved*, That the committee of the judiciary be instructed to enquire into the expediency of providing by law, a remedy in favor of any person who may be bound for another by bond, bill, note or otherwise, for the payment of money or performance of a contract, when his principal is about to abscond or leave the State, before the time arrives, for the performance of the contract, without providing for the fulfilment of the same,

With leave to report by bill or otherwise.

On motion of Mr. Hamilton,

*Resolved*, That the committee on roads be instructed to enquire into the expediency of so amending the 36th section of an act entitled an act for opening and repairing public roads and highways, approved Feb. 10, 1831, as to permit any landholder to work out all the road tax, with which he may be chargeable, on the roads in the county in the road district, in which he may reside,

With leave to report by bill or otherwise.

Mr. Moore moved the following resolution:

*Resolved*, That the committee on roads be instructed to en-



quire into the expediency of providing for the laying out and establishing a State road from Corydon in Harrison county to Greenville, in Floyd county, and report by bill or otherwise;

Which was read, and

On motion of Mr. Henley,

The same was amended by adding after the words "Greenville in Floyd county," "to New Providence in Clark county."

On motion of Mr. Palmer,

*Resolved*, That the committee of enrolled bills, while necessarily engaged in their separate duties as said committee, have leave of absence from this House.

On motion of Mr. Daniel,

*Resolved*, That the judiciary committee be directed to enquire into the necessity of so amending the criminal code, as to ameliorate the pains and penalties imposed by the same.

Mr. Hannegan moved the following resolution:

*Resolved*, That the committee on military affairs be instructed to enquire into the expediency of so amending the military law, as to allow any person compelled to perform military duty, either to do so, or in lieu thereof to pay one dollar into the hands of some authorized officer, which shall be appropriated for county school purposes, within the county, and that they report by bill or otherwise.

On motion of Mr Proffit,

Said resolution was amended by referring the enquiry to the committee on education, instead of the committee on military affairs.

Mr. Cravens moved further to amend the resolution by striking out the word "county" before "school" and inserting in lieu thereof the word "township."

Mr. Wooden moved to amend the amendment, so as to direct the commutation money to be paid to the paymaster of the proper regiment, instead of "some authorized officer;"

Which motion did not prevail.

The question was then put on the amendment of Mr. Cravens, And passed in the affirmative.

On motion of Mr. M'Junkin,

The resolution was further amended, by striking out the words "within the county," and inserting in lieu thereof, these words, "in the township where he may reside."

Mr. Daniel moved further to amend the same, by striking out:

the words "one dollar" and inserting in their place the words "two dollars."

A division of the question being called for by Mr. Bryant;

It was put on striking out,

And decided in the negative.

On motion of Mr. Crume,

The resolution was further amended, by making it imperative on the committee, to report a bill.

Mr. Hanna moved a further amendment so that the provisions of the resolution should not extend to time of war.

Pending that question,

A motion was made by Mr. Henley to postpone indefinitely the further consideration of said resolution and proposed amendment.

Mr. Finch moved that it be laid on the table,

Which motion did not prevail.

The question was then put on the motion of Mr. Henley to postpone.

And the ayes and noes being requested thereon by two members.

*Those who voted in the affirmative are,*

Messrs. Bell, Clark, Cox, Crume, Davis of Sh'y, English, Ferguson, of U., Finch, Hamilton, Hanna, Hargrove, Henley, Howell, Huntington, Lane, Lewis, Lowe, Mastin, Moore, Osborn, Palmer, Peyton, Reid, Roop, Schoonover, Skeen, Slaughter, Stanford, Wallace, Watt, Wooden and Woodruff—32.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bradbury, Bradley, Bryant, Buelh, Carter of W. & C., Claypool, Cravens, Crawford, Cristler, Culley, Daniel, Davenport, Edwards, Fowler, Hannegan, Heustis, Levenworth, Livingston, M'Junkin, M'Nary, Mitchell, Parks, Payne, Proffit, Pruett, Rariden, Ribble, Ruddick, Sands, Shortridge, Smith, Steele, Vawter, and Davis, Speaker—36.

So said motion was decided in the negative,

And before any further order was taken on said resolution,

The Speaker announced the arrival of the hour for passing to bills on their third reading.

On motion of Mr. Bell,

The several orders of the day which precede the report for

the committee on military affairs, relative to the election of a brigadier general, of the 22d brigade, 9th division, Indiana militia, and accompanying documents, were for the present postponed.

The committee of the whole House to which the same were committed, were then discharged from the further consideration thereof, and

On motion of Mr. Bell,

*Ordered*, That they be committed to a committee on military affairs.

The engrossed bill to amend an act entitled an act to regulate the interest of money in the State of Indiana," approved Feb. 1, 1831;

Was read the third time.

Mr. Payne moved to recommit said bill to a select committee with instructions to amend the same, by striking it out from the enacting clause, and by inserting in lieu thereof, the following:

"That no person or persons, body politic or corporate, shall on any contract hereafter made, directly or indirectly, take or recover for the loan or use, or forbearance of money, or on any contract for the payment of money, above the rate or value of six dollars, for the loan, use or forbearance, or on the contract for the payment of one hundred dollars, for one year, and so proportionally for any greater or less sums, and for any longer or shorter time, unless the stipulation to pay a higher rate of interest, be made in writing, and signed by the party to be charged; but in no case whatever, shall any person or persons, body politic or corporate, take or recover more than eight dollars, for any such loan, use, or forbearance of money, or on any such contract for the payment of one hundred dollars, for one year, and so proportionally, for any greater or less sums, and for any longer or shorter time.

Sec. 2, That the second section of the act to which this is an amendment, be, and the same is hereby repealed."

Mr. Rariden called for the previous question, which was seconded by two members.

Before the question was put thereon,

Mr. Huntington moved that there be a call of the House and that absent members be sent for;

Which motion passed in the affirmative.

The roll having been called, it appeared that Messrs. Carter of O., Goodbar, Lynd, Parker and Wilson, were absent, and the Doorkeeper was thereupon directed to procure their attendance, who, after a short interval, reported that all, except the first named gentleman were sick.

The requisition for the attendance of Mr. Carter of O., being dispensed with.

The said previous was then put, to wit:  
Shall the main question be now put?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Cravens, Crawford, Daniel, Davenport, Davis of Sh'y, Edwards, Ferguson of C., Ferguson of U., Hamilton, Hanna, Henley, Lane, Lewis, Livingston, Lowe, Mastin, M'Nary, Palmer, Parks, Peyton, Pruett, Rariden, Ribble, Ruddick, Sands, Schoonover, Shortridge, Slaughter, Stanford, Steele, Watt, Wooden, Woodruff and Davis, Speaker—39.

*And those who voted in the negative, are*

Messrs. Bryant, Buell, Carter of M. & C. Clark, Claypool, Cox, Cristler, Crume, Culley, Dunn, English, Finch, Fowler, Hannegan, Hargrove, Heustis, Howell, Huntington, Levenworth, M'Junkin, Mitchell, Moore, Osborn, Payne, Proffit, Reid, Roop, Skeen, Smith, Vawter, and Wallace—31.

So said previous question passed in the affirmative.

The said main question was then put, to wit:  
Shall the bill pass?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Carter of M. & C., Cox, Cravens, Crawford, Cristler, Crume, Culley, Daniel, Davenport, Davis of Sh'y, Edwards, Ferguson of C., Ferguson of U., Finch, Fowler, Hamilton, Hanna, Hargrove, Henley, Lane, Lewis, Livingston, Lowe, Mastin, M'Nary, Mitchell, Palmer, Parks, Peyton, Pruett, Rariden, Ribble, Ruddick, Sands, Schoonover, Shortridge, Slaughter, Stanford, Steele, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—50.

*And those who voted in the negative are,*

Messrs. Bryant, Buell, Clark, Claypool, Dunn, English, Hannegan, Heustis, Howell, Huntington, Levenworth, Moore, Os-



born, Payne, Proffit, Reid, Roop, Skeen, Smith, and Vawter  
—20.

So said bill passed.

*Ordered*, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate continue to insist on the second amendment proposed by them to the engrossed bill of the House, entitled "an act to incorporate Hanover Academy," and have appointed Messrs. Logan and Whitcomb a committee of conference on the part of the Senate, to act with the committee appointed by the House of Representatives, to take into consideration the disagreeing vote of the Senate on said second amendment.

Mr. Palmer made the following report:

The committee of free conference appointed on the part of the Senate and House of Representatives on the disagreeing vote of the two Houses, on the second amendment of the Senate, to the bill to amend the act entitled "an act to incorporate the Hanover Academy," have had that subject under advisement, and a majority of said committee have agreed to strike out said second amendment and insert in lieu thereof the following:

"SEC. 2. Those students in said College of sufficient bodily ability, shall, during the time they continue as such, be exercised and instructed in some species of mechanical or agricultural labour, in addition to the scientific and literary branches there taught; and the trustees shall annually report to the legislature the plan, progress and effects of such agricultural and mechanical exercise and instruction upon the health, studies and improvement of the students.;"

Which report was read and concurred in by the House.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Daniel moved that the several orders of the day which precede the bill to incorporate the county Seminary of Posey be for the present suspended, and that the House do now consider said bill;

Which motion did not prevail.

Mr. Bryant moved that the bill appropriating the Wabash fund, laid on the table yesterday be taken up;

Which motion was decided in the negative.

A motion was made by Mr. Henley that the several orders of the day which precede the engrossed bill from the Senate, appropriating 387.86 3-4 cents for the payment of the subscribers to the building of the State prison, be for the present postponed, and that the House do now consider said bill;

Which was decided in the negative.

On motion of Mr. Lane,

The House proceeded to consider bills on their second reading:

The bill to amend an act entitled "an act for opening and repairing public roads and highways," approved February 10, 1831, was read the second time.

Mr. Clark moved to amend the same, by striking out so much as refers to running horses.

Before the question was put thereon, it was,

On motion of Mr. Palmer,

Ordered, That said bill be committed to the same committee of the whole House to which is committed a bill of the same title.

The bill for the more permanently establishing the boundary line between the counties of Vermillion and Warren was read the second time.

On motion of Mr. Osborn,

The same was amended by striking it out from the enacting clause and inserting in lieu thereof the following:

"That the following shall form and constitute the dividing line between the counties of Vermillion and Warren, to wit: Beginning on the west bank of the Wabash river, where the township line dividing the Townships No. nineteen and twenty intersects the same, thence west with said Township line to the Range line dividing Ranges nine and ten west; thence north with said Range line to the Township line, dividing Townships nineteen and twenty north, in Range ten west; thence west with said township line to the line dividing the states of Indiana and Illinois.

SEC. 2. Be it further enacted, That so much of the 38th section of an act relative to county boundaries, approved Feb. 10, 1831, as comes within the purview of this act, be and the same is hereby repealed.

This act to take effect and be in force from and after its passage."

The said bill was then ordered to be engrossed and read a third time on to-morrow.

The bill to amend "an act for the appointment of county sur-

veyors and their deputies," approved, February 4, 1831, was read the second time.

Mr. Crawford moved to amend the same by adding the following as an additional section, to wit:

"SEC. Be it further enacted, That whenever any division line shall be run by the county surveyor or his deputy, dividing the lands of one or more persons, that it shall be the duty of the person employing the county surveyor, to pay the fees allowed for running such line, and that all persons interested, or owning land divided by such line, shall be made liable to pay to such employer his, her or their proportions of said fees; and that in all surveys made by the county surveyor, it shall be his duty to file in the recorder's office a copy of all his proceedings, which shall be recorded by the recorder in his office, for the benefit of the citizens; and such county surveyor shall keep the original, and to be delivered to his successor in office;"

Which motion was decided in the negative.

The said bill was then ordered to be engrossed and read a third time on to-morrow.

And then the House adjourned until to-morrow morning, at 9 o'clock.

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## SATURDAY, DECEMBER 29, 1832.

The House met pursuant to adjournment.

The Speaker laid before the House, the following communication from Morris Morris, Auditor of Public Accounts, to wit:

AUDITOR'S OFFICE, }  
Indianapolis, Dec. 28th, 1832. }

In obedience to a resolution of the House of Representatives, requesting the Auditor of Public Accounts, to furnish a statement of the amount paid to Probate Judges, for services rendered in the year 1832, I would state that the amount audited to Probate Judges for 1832, is \$1684.00, but this cannot be considered the whole amount due, as many claims for services rendered in said year, remain unpaid.

I further submit to the House, the amount of expenditures on that head, the two preceding years:

From Dec. 5th, 1829 to Dec. 4th, 1830 there was paid \$1,273 50 cts..

From Dec. 5th, 1830 to Dec. 4th, 1831, there was paid \$1,734.

From December 5th, 1831 to Dec. 4th, 1832 there was paid \$2,220 00.

Respectfully,

MORRIS MORRIS, A. P. A.

*The Hon. John W. Davis,*

*Speaker of the H. of Rep.*

Which was read and referred to the committee on the judiciary.

A message from the Senate by Mr. Morris their Assistant Secretary:

MR SPEAKER,

The Senate has passed engrossed bills of the House of Representatives, entitled acts, as follows, to wit:

An act to establish a State road from Napoleon in Ripley county, via Camden, Newbern and Columbus in Bartholomew county to Bloomington in Monroe county;

An act to relocate a part of the State road leading from Spencer in Owen county, to Danville in Hendricks county.

The first named bill with, and the latter without amendment.

The Senate has also passed engrossed bills, originating in the Senate, entitled acts, as follows, to wit:

An act supplementary to an act entitled "an act regulating divorces," approved January 17, 1831.

An act supplemental to the act entitled an act to establish a State road from the county of Grant, to the county seat of Elkhart county; and

An act to establish a State road from the Ohio line to Dalton near the west boundary of Wayne county;

In which bills of the Senate, and the amendments proposed to the bill of the House, the concurrence of the House of Representatives is requested.

The several amendments proposed by the Senate to the bill of the House first named, in said message, were read and agreed to by the House.

*Ordered,* That the clerk inform the Senate thereof.

The engrossed bill of the Senate, first named in the message, was twice read, (the rules of the House having first been dispensed with) and



On motion of Mr. Rariden,

*Ordered*, That the same do lie on the table.

The second and third engrossed bills of the Senate named in said message, were severally read the first time, and passed to a second reading.

Mr. Parker, from the joint committee of enrolled bills, reported that they had compared the enrolled with the engrossed bills, entitled:

An act to legalize the proceedings of the commissioner appointed to mark and locate a State road from the town of Lagrange in Tippecanoe county, to Logansport in the county of Cass, by an act, approved, Feb. 3, 1832.

A memorial on the subject of the national road.

An act authorizing John Newby of Jackson county, to expend certain monies appropriated out of the three per cent. fund, on the Madison and Brownstown State road.

An act to establish a State road in Vigo county.

An act to locate a State road from Williamsport in Warren county by the way of Lebanon and Chesapeake to the State line.

An act to locate a State road from Martinsville, in Morgan county, to intersect the State road leading from Madison to Indianapolis at Edinburgh, in Johnson county, by the way of Morgantown, in said Morgan county.

An act to locate a State road from where the Michigan road crosses Yellow river, by the way of the county seat of Laporte county, to the mouth of Trail creek.

An act to extend the privileges granted to the Harrison and White Water bridge company.

To legalize the proceedings of the school commissioner of Sullivan county; and

A joint resolution on the subject of a rail road from the Mississippi river to the city of Washington.

And found the same truly enrolled.

Whereupon,

The Speaker signed said bills, memorials and joint resolution.

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

Mr. Cravens presented a petition of L. Lodge and others, citizens of Jefferson county, praying the establishment of a State bank and branches, in this State;

Which was read, and

*Ordered* to accompany the bill of the House, on the same subject.

Mr. Dunn presented a petition of John C. Moore and others, praying the passage of a special act, to authorize the school trustees of fractional section No. 16, township 6, range 3 west, to sell a part of said fractional section;

Which was read and referred to the committee on education.

Mr. Mastin presented a remonstrance of Henry G. Todd, and others citizens of Hendricks county, against a change in the State road leading from Mooresville by the way of Danville, to Crawfordsville;

Which was read and referred to the committee on roads.

Mr. Livingston presented a petition of Mathew M. Campbell and others, students of the Indiana College, praying to be exempted from working on roads.

Which was read and referred to the committee on education.

Mr. Vawter presented a petition of Robert Elliott and others, praying the location of a State road from the town of Marion in Ripley county to Shelbyville in Shelby county;

Which was read and referred to the committee on roads.

Mr. Palmer made the following report:

The committee of ways and means to which was referred a resolution of this House directing an enquiry into the expediency of amending the revenue law, so as to exempt all lands which have been sold or which hereafter may be sold by the State for canal or road purposes, from taxation for five years; also the propriety of so amending the revenue law, as to exempt all reservations made to individuals at any of the treaties from taxation for five years, have had the subject under consideration and directed me to report, that it is inexpedient to exempt such road and canal lands, after being so sold. And there is no justice or propriety in exempting from taxation, reservations made to individuals at any of the Indian treaties; but that such reservations, being in all cases the best and most valuable lands, there is in the opinion of the committee much reason and justice in their liability to taxation. The committee therefore ask to be discharged.

Which was read, and

On motion of Mr. Proffit,

*Ordered*, That the same do lie on the table.

Mr. Moore from the judiciary committee to which was referred a resolution on that subject, reported a bill to amend an act regulating the jurisdiction and duties of justices of the peace, approved February 16th, 1831;

Which was read the first time, and passed to a second reading.

Mr. Moore from the same committee, to which was referred a resolution on that subject, reported a bill to authorize the coroner to execute jury process in certain cases;

Which was twice read (the rules of the House having first been dispensed with) and

On motion of Mr. Rariden,  
Laid on the table.

Mr. Moore from the same committee to which was referred a resolution on that subject, reported a bill supplemental to the act relative to crime and punishment, approved February 10th, 1831;

Which was twice read (the rules of the House having first been dispensed with), and

On motion of Mr. Rariden,  
Laid on the table.

Mr. Moore from the same committee, to which was referred a resolution on the subject, reported a bill supplemental to the act entitled "an act relative to crime and punishment.

Which was twice read (the rules of the House having first been dispensed with,) and

On motion of Mr. Rariden,  
Laid on the table.

Mr. Moore from the same committee, to which was recommit-  
ted the bill organizing the 8th judicial circuit and fixing the times  
of holding courts therein, reported the same with one amendment.

Mr. Crume moved to amend the amendment, by striking out  
Grant county from the 6th Judicial Circuit and annexing it to  
the 8th.

Before the question was put thereon, it was

On motion of Mr. Moore,  
*Ordered*, That said bill and proposed amendments be laid on  
the table.

Mr. Moore from the same committee to which was referred a  
resolution directing an enquiry into the expediency of authori-  
zing certain amendments in pleadings before justices of the peace,  
and admitting the books of entries of parties as evidence, and of  
lessening the number of jurors and giving the right of challenge,  
reported a bill to amend the act entitled "an act to regulate the  
practice in suits at law," approved January 29, 1831.

Which was read the first and second times (the rules of the  
House having first been dispensed with) when

Mr. Daniel moved to amend the same by striking out so much

of the same as authorizes the empanneling of three jurors in certain cases:

Which motion was decided in the negative.

On motion of Mr. Rariden,

The second section of the bill (which makes provision on the subject of jurors) was stricken out, except the last clause, giving the right of challenge.

It was then ordered that said bill do lie on the table.

Mr. Moore from the same committee made the following report:

The committee on the judiciary to which was referred a resolution instructing them to make a report to this House, declaratory of the power of the legislature to pass laws, authorizing the building of mill-dams, or other obstructions in the channels of the navigable streams in this state, referring particularly to those streams which may have been meandered by the surveyors of the United States, and noted on their plats of surveys as navigable streams, have had the same under consideration. The committee have no hesitation in advancing the opinion, that the legislature has no power, to throw any obstructions whatever, across the channels of any water course, the same being actually navigable, and declared so by the proper authority. There is not so much contrariety of opinion in this state, as it regards the question of power in the legislature to obstruct navigable streams, as there is, in what constitutes such an obstruction; what streams may or may not be considered navigable, it is thought, does not depend, upon the mere circumstance of being meandered by the surveyor, and noted by him upon the plat of survey as such.

By the ordinance of Congress, passed July 13th, 1787, for the government of the territory of the United States north west of the river Ohio, it is ordained and declared, that certain articles therein shall be considered as articles of compact, between the original states, and the people and states in the said territory, and forever remain unalterable, unless by common consent. A clause in one of the articles of this ordinance is that "the navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of said territories, as to the citizens of the United States, and those of any other states that may be admitted into the confederacy, without any tax, impost or duty therefor. The act of Congress, approved May the 7th, 1800, dividing the territory of the United States north west of the Ohio into two separate governments, constituting Indiana, including the territory of Illinois, a separate territory, and secured to, and entitled the inhabitants thereof to enjoy all and singular the rights.



privileges and advantages, granted and secured by the ordinance of 1787. By the sixth section of an act of Congress, passed the 26th of March 1804, making provision for the disposal of the public lands and for other purposes, it is provided "that all the navigable rivers, creeks and waters, within the Indiana territory, shall be deemed to be and remain public highways." In 1809, February 3d, by an act of Congress, the territory then called the Indiana territory, was divided into two separate governments, of which Illinois was one, while Indiana remained the other.

To enable the people of the Indiana territory to form a constitution and State government, and for the admission of such State into the Union, on an equal footing with the original States, an act of Congress was passed the 19th of April, 1816. This act, among other things, provides for the calling a convention, which, when met, shall then form for the people of said territory, a constitution and State government, "provided, that the same when formed, shall be republican, and not repugnant to those articles of the ordinance of the 13th of July, 1787, which are declared to be irrevocable between the original States and the people and States of the Territory north west of the river Ohio, excepting so much of the said articles as relates to the boundaries of States therein to be formed." These propositions were accepted, under an ordinance of the people of Indiana, through their representatives, in convention on the 29th of June, 1816. And that ordinance, declared by them to be irrevocable and inviolate in every part thereof, without the consent of the United States in Congress assembled, first had and obtained, for any alteration of the same in any part thereof.

Much more might be said upon this subject, but a reference to the several ordinances and acts of Congress alluded to, is esteemed for the present sufficient, as the most extended report could only amount to the expression of a mere opinion entertained by the committee, without arriving at any paramount object, adding however the fact, that a cause is now depending before the Supreme Court of this state, in which all the points embraced in the resolution are expected shortly to be decided as the law of the land. The committee therefore ask to be discharged.

Whereupon,

The committee was discharged accordingly.

Mr. Wooden, from the committee on military affairs, to which was referred a resolution directing an enquiry into the propriety of authorizing the Commandant's of regiments, in certain cases, to remit fines, reported that it is inexpedient to legislate on that subject, at this time;

Which report was read and concurred in.

Mr. Wooden, from the same committee made the following report:

The committee on military affairs, to which was referred the annual returns of the adjutant general, beg leave to report that they have had the same under consideration, and find the duties of that officer, so far as relates to returns, to have been faithfully performed.

On motion of Mr. Hargrove,

*Resolved*, That the committee of ways and means be instructed to enquire into the expediency of so amending the revenue law, as to make it the duty of the people to meet the assessor at the election precincts, on the first Monday in April, in each and every year, or at some other stated time for the purpose of giving the assessor, a list of their taxable property; also, to enquire into the expediency of so amending the revenue law, as to make it the duty of the several assessors of the State and county revenue, for the year 1833, to rate the land subject to taxation, having due regard to the first section of an act, entitled "an act for assessing and collecting the revenue, approved February 10, 1831, and to report by bill or otherwise. ;

On motion of Mr. Wallace,

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of so amending the 55th section of the act entitled "an act relative to crime and punishment," approved Feb. 10, 1831, as not to impose upon any person or persons, who may sell any merchandize, which may not be the product of the United States, without a license, provided such person or persons shall not at any time, have invested more than \$50 in value of such merchandize, not to embrace such persons as are commonly termed pedlars, and that they have leave to report by bill or otherwise.

Mr. Daniel moved the following resolution,

Which was read and laid on the table, to wit:

WHEREAS, the calling for the main or previous question, frequently suspends debate, improperly upon questions of the utmost importance, and is often abused:

*Resolved*, by this House, that the previous question shall not be put unless by a call of six members standing in their places, whose names shall be placed upon the journal of the House.

Mr. Daniel moved the following resolution:

*Resolved*, That the Agent of the three per cent. fund be directed to furnish to this House a full and more complete account, of the \$100,000 originally appropriated by the legislature, 31st

December, 1821; on what road, and the commissioner to whom paid, how much to each board of commissioners, and how much of said fund to former, and if any to present agents the original \$100,000 will alone extend to;

Which was read, and

On motion of Mr. Lane,  
Laid on the table.

On motion of Mr. Culley,

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of so changing the law regulating crime and punishment, as to do away imprisonment in the county jail for certain criminal offences, and providing other means of punishment for such crimes,

With leave to report by bill or otherwise.

On motion of Mr. Henley,

*Ordered*, That Mr. Fowler have leave of absence from the services of this House until Wednesday next.

Mr. Carter of O. moved the following resolution:

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of so amending the act entitled "an act to regulate the mode of doing county business, in the several counties in this State, approved January 19th, 1831, as to make it the duty of the board doing county business, in their respective counties, on the 1st Monday in next May, and annually on the 1st Monday in May thereafter, to appoint one inspector of elections in each township, in their respective counties, two fence-viewers, two overseers of the poor, and as many supervisors of public highways, as there are road districts in the several townships, and to make it the duty of the inspectors of elections, in their respective townships, and the fence viewers and overseers of the poor, and supervisors of public highways, who are now duly elected or appointed, to hold their respective offices, until the first Monday in next May;

And report by bill or otherwise.

On motion of Mr. Steele,

Said resolution was so amended, as to make the reference to a select instead of the judiciary committee.

Mr. Henley moved to postpone the further consideration thereof indefinitely; when

On motion of Mr. Rariden,

It was

*Ordered*, That the same do lie on the table.

Mr. Proffit moved the following resolution:

*Resolved*, That the committee of ways and means be instructed

to enquire whether some more economical mode than the present, could not be adopted for the management of the three per cent. fund,

With leave to report by bill or otherwise.

On motion of Mr Rariden,

*Ordered*, That the same be laid on the table.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

A message from the Senate by Mr. Morris, their Assistant Secretary.

MR. SPEAKER,

I am instructed by the Senate to inform the House of Representatives, that they concur in the report of the committee of free conference, appointed to take into consideration the disagreeing votes of the two Houses, upon the second amendment proposed by the Senate to the engrossed bill of the House of Representatives, entitled "an act to incorporate the Hanover Academy."

The House resumed the consideration of a resolution offered by Mr. Hannegan, directing an enquiry into the expediency of so amending the military law, as to allow any person compelled to perform military duty, either to do so, or in lieu thereof pay one dollar into the hands of some authorized officer, to be appropriated to school purposes; which was arrested on the 28th inst., by the arrival of the hour for passing to bills on their third reading, at which time there was an amendment depending to said resolution, proposed by Mr. Hanna, which amendment was, that its provisions shall not extend to "a time of war."

After discussion, and

Before any further question was had thereon,

The said resolution and proposed amendment was,

On motion of Mr. Daniel,

Laid on the table.

And then the House adjourned until Monday morning at 9 o'clock.



MONDAY, DECEMBER 31st, 1832.

The House met pursuant to adjournment.

Mr. Huntington presented the following protest;

Which was read, and

*Ordered* to be spread upon the journals, to wit:

The undersigned availing himself of the privilege of protest, secured to him by the constitution, asks leave to spread upon the journals of this House, some of the reasons which governed him in his vote on the bill which passed this body on the 28th inst. regulating the interest on money, &c.

This privilege would not be resorted to on this occasion, unless from considerations of sheer necessity. Where the mouth of the Representative is closed by the call of the "previous question" under a rule of this body, he may be sometimes forced to seize upon this the only legitimate mode left him, for the expression of his views, or to leave his motives liable to misrepresentation. It may not be improper to say, that the rule which sanctions a call for the "previous question" originated in an age of high political dissention and excitement. It was introduced into the British Parliament by sir Henry Vane as a guard against violence and collisions in the legislative body, but never to impair the freedom of debate, or to prevent proper investigation,—It was intended, and resorted to as an engine rather of safety than of power.

Without meaning to impute any unworthy motives to those who SUSTAINED the call for the "previous question" in the case above alluded to, the undersigned must be permitted to express his opinion however humble, that that call, suppressed a fair and full investigation of the important measure then pending before this House.

The undersigned was known to be favorable to a restriction of the interest on money; he had avowed it in the public journals, and on this floor. The bill against the passage of which he now "protests," on a previous day had been read a second time, and was then in order for amendment or commitment, and pending a proposition to commit the same with instructions, a gentleman called for the "previous question" which call was sustained.—This, prevented the House from voting upon that proposition, and precluded all further debate. The vote was then taken on engrossing the bill for a third reading, and defective as it was in the opinion of the undersigned, he voted *for* it, under the hope that at a future stage, it would be committed, and its defects cured. When the bill on the 28th inst. came up on its third reading, a gentleman from Harrison, moved to commit it with certain instructions supporting his proposition with a few remarks.

A gentleman from Wayne who had on a former occasion asked for the previous question," opposed this proposition and concluded his remarks by again calling for the "previous question" which call was sustained by the House. This cut off the further action of the House upon the then pending proposition, and all further debate, and the House was then called on to vote for or against the original bill defective as it was. It has been thought necessary to state this much in order to a full understanding of the reasons that actuated the undersigned in the course he pursued in regard to this bill. Forced from his own convictions of his duty as a representative, to vote against its final passage, he will now proceed briefly to give the reason for that vote: 1st, its provisions are ambiguous, and are not understood by all in this House alike. When members of the same body that pass a law, differ in their opinions as to its proper construction, it can hardly be presumed that their constituents would all understand it alike. Laws liable to be misunderstood, are traps to catch the unwary, and are worse than the absence of any law. They would be as dangerous to the rights of the people, as the edicts of Caligula inscribed in small characters upon pillars above the reach of the human eye. The ambiguous provision alluded to in this bill relates to the penalty against usury. Some understand that by this provision, that usurer forfeits the usury and legal interest only, others that he forfeits the usury, the legal interest, and an amount equal to the usury out of the principal. This is its most important provision, and indeed its only guard against the oppressions it is intended to remedy. This alone would have condemned the bill with the undersigned. 2nd, the undersigned believes that money is worth more than six per cent. at this time, to any one who has it to loan in Indiana, and he had in his hand a proposition at the time of the last call for the "previous question," which he was prevented from offering to the House by reason of that call. He will here insert it, as containing his views on that subject. "To restrict the interest on money to 10 per cent. in all cases, and where more than that amount is taken, it shall operate as a forfeiture of the whole sum loaned, which sum shall go the use of common schools in the proper county, and where there is no special contract in writing as to interest, 6 per cent. shall be the fixed rate thereof." This would shield the necessitous against oppression, and deter the money lender from unwarrantable speculations: Nor would the borrower be deterred from exposing a violation of such a law, when he would not only not shield himself from liability, but would thereby transfer from the pocket of the usurer, the penalty of his avarice to the purposes of education. Nothing but severe penalties will deter the money lender from taking all he can get, and the experience of the last two years has shown, that he can get, all that he asks. Few will lend money at 6 per cent. when by investing it in other

business, it would bring much more, but most would be lent at 10. Any law under the present embarrassed condition of the country restricting loans to 6 per. cent., without the severest penalties, would be constantly and secretly violated, and with severe penalties, would prevent any loaning whatever. 3d, there is one insurance company in this State with power to loan money on deposit, at any rates of interest that can be agreed upon and no act of this legislature can divest that power from that corporation. A law therefore restricting interest, would make that institution a monied monopoly. This however would not have been with the undersigned a sufficient reason against the passage of the interest law, inasmuch as it is understood that, that company loans very little money, and that little at a rate not higher than 10 or 12 per cent. Added to this its situation is remote from the district represented by the undersigned, and would hardly extend its operations beyond the limits of one or two counties. The fact is however stated, to show that in passing a general law of so much importance, too much attention cannot be given to its details, with a view to its effect upon our citizens in their individual or corporate characters.

In conclusion, the undersigned states, what he has always stated, here and elsewhere, since the effects of the existing law has been seen and felt, that if no better measure can be adopted, he will go for the bill which passed this House on the 28th inst. when its ambiguities shall be cured, and its meaning made plain to every one. When it is so altered that it will neither be a source of a necessary litigation, or hold out a lure to its constant violation. He has been compelled to resort to this mode of expressing in his representative capacity his views and sentiments in regard to this measure, because it was under the circumstances, the only constitutional mode left him, and whether censure or praise shall attach to his conduct, he has done what he conceived his duty to his constituents, to the state, and to himself.

Mr. Reed presented a petition of John Barber and others, praying the incorporation of a company to make a Macadamised turnpike road from the town of Harrison, in Dearborn county via New Trenton to Brookville, and as far on towards Indianapolis as the Legislature may deem proper.

Which was read and referred to a select committee of Messrs. Reid, Roop, and Lowe.

Mr. Proffit presented a petition of Thomas Palmer and others, praying that a part of the State road leading from Princeton, via Thompson's mill on Patoka, the high lands on White river to Washington in Daviess county be vacated:

Which was read and referred to a select committee of Messrs. Proffit, Hargrove and Bonner.



Mr. Cox presented a petition of H. R. Stevens and others, citizens of Morgan county, praying a change in part of the State road leading from Martinsville in Morgan county to Danville in Hendricks county;

Which was read and referred to the committee on roads.

Mr. Osborn presented a petition of William Kennedy and others, praying the passage of an act to License Asa Church, who styles himself a Botanical Medical Physician, to practice medicine, and under the above style, to establish a Medical Board;

Which was read and referred to a select committee of Messrs. Osborn, Sands and Buell.

Mr. Hanna presented a remonstrance of Thomas Scott and others, against a vacation or change in the State road leading from Indianapolis to the falls of Fall creek;

Which was read and referred to the same select committee to which was referred a petition on the same subject.

Mr. Bryant presented a remonstrance of Albert G. Sanders and others, against the vacation of a State road leading from Montezuma in Parke county, to Crawfordsville;

Which was read and laid on the table.

Mr. Hargrove from the committee of elections, made the following report:

The committee of elections, to whom was referred the certificates of the several members of this House, have had the same under their consideration and have directed me to report, that the following members have been duly elected, and are entitled to their seat, to wit:

From the county of Wayne—James Rariden, William Steele, Abner M. Bradbury and Caleb Lewis.

Clark—Benjamin Ferguson, Thomas J. Henley and John C. Parker.

Dearborn—George H. Dunn, David V. Culley and Olover Heustis.

Fayette—Marks Crume and Allen Crisler.

Fountain—Edward A. Hannegan and Abel Claypool.

Franklin—John Reid and John Roop.

Harrison—John W. Payne and David G. Mitchell.

Jefferson—Nathan B. Palmer and James H. Cravens.

Lawrence—Hugh L. Livingston and William B. Slaughter.

Orange—James Lynd and Shadrach B. A. Carter.

Parke—William P. Bryant and Richard Pruett.

Putnam—Lewis H. Sands and John M'Nary.



Rush—Joseph Lowe and Nathaniel Smith.  
 Tippecanoe—Aaron Finch and Morgan Shortridge.  
 Union—Zachariah Ferguson and William Watt.  
 Washington—Gustavus Clark and Rhodolphus Schoonever.  
 Bartholomew—Jesse Ruddick.  
 Clay—Jared Peyton.  
 Crawford—Zebulon Levenworth.  
 Decatur—William Fowler.  
 Floyd—Harbin H. Moore.  
 Gibson—John Hargrove.  
 Greene—Drury B. Boyd.  
 Hendricks—Lewis Mastin.  
 Henry—Thomas R. Stanford.  
 Jackson—James Hamilton.  
 Jennings—John Vawter.  
 Johnson—Joab Woodruff.  
 Knox—David S. Bonner.  
 Marion—Robert Hanna.  
 Monroe—James Parks.  
 Morgan—John W. Cox.  
 Owen—Robert M. Wooden.  
 Posey—Richard Daniel.  
 Randolph—William Edwards.  
 Ripley—William Skeen.  
 Shelby—Rezin Davis.  
 Sullivan—John W. Davis.  
 Scott—Elisha G. English.  
 Switzerland—William Bradley.  
 Vermillion—James Osborn.  
 Vigo—Elisha M. Huntington.  
 Warren—James H. Buell.  
 Allen, Lagrange, Elkhart, St. Joseph, &c.—George Crawford.  
 Perry and Spencer—Mason J. Howell.  
 Delaware and Grant—David Ribble.  
 Hamilton and Boon—Austin Davenport.  
 Carroll and Cass—Walter Wilson.  
 Montgomery and Clinton—Jesse Carter and John H. Goodbar.  
 Pike and Dubois—George H. Proffit.  
 Vanderburgh and Warrick—Joseph Lane.  
 Daviess and Martin—William Wallace and Erasmus H. M'Junkin.  
 Madison and Hancock—Thomas Bell.

On motion of Mr. Palmer,

The following report made by himself, and laid on the table on the 29th inst., was taken up, read and concurred in by the House, viz:

The committee of ways and means to which was referred, &c.

resolution of this House directing an enquiry into the expediency of amending the revenue law so as to exempt all lands, which have been sold, or which may hereafter be sold by the State for canal or road purposes, from taxation for five years: Also, the propriety of so amending the revenue law as to exempt all reservations made to individuals at any of the treaties, from taxation for five years, have had the subject under consideration and have directed me to report, that it is inexpedient to exempt said road and canal lands after being so sold. And that there is no justice or propriety in exempting from taxation reservations made to individuals at any of the Indian treaties; but that such reservations, being in all cases the best and most valuable lands, there is in the opinion of the committee, much reason and justice in their liability to taxation. The committee therefore ask to be discharged.

Mr. Wooden from the committee on military affairs to which was referred a resolution of the House instructing said committee to enquire into the expediency of so amending the militia law of this State, as to make it the duty of listers, at the time they take in a list of taxable property, to take in a list of men and arms, &c. reported that it is inexpedient to legislate on that subject;

Which was read, and

On motion of Mr. Steele,

Recommitted to a select committee of Messrs. Steele, Sands and Howell.

Mr. Wooden from the same committee to which was recommit-  
ted, a memorial and joint resolution on military affairs, reported the same with one amendment, to wit: by striking out certain part thereof.

Mr. Steele moved to amend said amendment, by inserting in lieu of the part so stricken out, the following:

*Resolved*, by the General Assembly, That the second section of the seventh Article of the Indiana Constitution, provides that no person or persons conscientiously scrupulous of bearing arms, shall be compelled to do militia duty; Provided such person or persons pay an equivalent for such exemption.

We therefore respectfully ask Congress, in the adoption of that military system they may deem most expedient, to allow to our citizens all their written Constitutional rights, and that such equivalent only be required when our country is in eminent danger, or drafts are necessary for the defence of the same."

On motion of Mr. Palmer,

*Ordered*, That said memorial and proposed amendment be laid on the table.

Mr. Huntington from the committee on canals and internal improvements made the following report:

The committee on canals and internal improvements to whom was referred a resolution of this House, directing said committee "to enquire into the expediency of instructing the canal commissioners to permanently locate the canal line from the mouth of Little river to the mouth of Tippecanoe or the termination of said canal, and in making such location to cause both sides of the Wabash river from Logansport to the southern termination of said canal to be examined," have had the same under consideration, and have directed me to report, that such location cannot be made the ensuing season, without very considerable expense, and without diverting from the present point of operations on the canal, the services and attention of the canal commissioners and engineer, to the prejudice of the present works, and that at this time, such further location is deemed unnecessary and inexpedient. The committee therefore ask to be discharged from the further consideration of said subject;

Which was read and concurred in by the House.

Mr. Huntington from the same committee made the following report:

The committee on canals and internal improvements to whom was referred a petition of sundry citizens of Monroe county, praying that John Whisenan be authorised by law to erect a mill-dam across Salt creek in said county, have had the same, under consideration, and a majority of said committee have directed me to report, that it is inexpedient to grant the prayer of the petitioners, and therefore ask to be discharged from the further consideration of that subject;

Which was read and concurred in by the House.

Mr. Huntington from the committee on canals and internal improvements to which were referred so much of the Governor's message as relates to that subject and the reports of the Canal Fund, and Canal Commissioners, reported a bill to amend the laws now in force relative to the Wabash and Erie canal;

Which was read the first time and passed to a second reading.

Mr. Henley moved to suspend the several orders of the day that precede the engrossed bill from the Senate dividing the State into Congressional Districts, and for the election of Representatives in Congress, and that the House do now consider that bill;

Which motion did not prevail.

The House resumed the consideration of the resolution offered by Mr. Daniel, and laid on the table on the 29th inst., relative to the "previous question."

Mr. Hannegan moved to strike out the word "six" (being the



number of members necessary to call the previous question,) and insert in lieu thereof the word "ten."

**Mr. Hargrove** called for a division of the question.

**Mr. Culley** moved to lay said resolution and proposed amendment on the table.

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Cravens, Crawford, Culley, Davenport, Edwards, English, Ferguson of C., Ferguson of U., Hamilton, Hanna, Heustis, Lane, M'Nary, Palmer, Parks, Peyton, Pruett, Reid, Ribble, Ruddick, Sands, Schoonover, Skeen, Stanford, Steele, Wallace, Wooden, Woodruff and Davis, Speaker—34.

*And those who voted in the negative are,*

Messrs. Bryant, Buell, Carter of M. & C., Clark, Claypool, Cox, Cristler, Crume, Daniel, Davis of Sh'y, Dunn, Finch, Hanrigan, Hargrove, Howell, Huntington, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Junkin, Mitchell, Moore, Osborn, Parker, Payne, Proffit, Rariden, Roop, Shortridge, Slaughter, Smith, Vawter, and Watt—35.

Which motion was decided in the negative.

**Mr. Lane** moved to postpone the further consideration of said resolution and proposed amendment indefinitely.

And the ayes and noes being requested thereon by two members.

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Carter of M. & C., Cox, Cravens, Crawford, Davenport, Davis of Sh'y, Edwards, English, Ferguson of C., Ferguson, of U., Hamilton, Hanna, Heustis, Huntington, Lane, Levenworth, Lewis, Livingston, Mastin, M'Junkin, M'Nary, Mitchell, Moore, Osborn, Palmer, Parks, Payne, Peyton, Pruett, Rariden, Reid, Ribble, Ruddick, Sands, Schoonover, Skeen, Slaughter, Stanford, Steele, Vawter, Wallace, Wooden, Woodruff and Davis, Speaker—49.

*And those who voted in the negative are,*

Messrs. Bryant, Buell, Clark, Claypool, Cristler, Crume,



Culley, Daniel, Dunn, Finch, Hannegan, Hargrove, Howell, Lowe, Parker, Proffit, Roop, Shortridge, Smith and Watt—20.  
So the same was indefinitely postponed.

Mr. Mitchell moved the following resolution:

*Resolved*, That the judiciary committee be instructed to enquire into the propriety of appropriating the docket fees accruing in the Supreme Court, to the use of the Indiana College, to be applied exclusively for the benefit of young men, who are unable to pay the expenses of their education; and also to enquire into the propriety of appropriating all the docket fees, accruing in the Circuit Courts, to the Seminaries of each county respectively, for the benefit of those children whose parents are unable to pay for their instruction, and also for the use of orphan children who may have no means of obtaining an education, with leave to report by bill or otherwise.

On motion of Mr. Steele,

Said resolution was so amended as to make the reference to a select, instead of the judiciary committee.

Mr. MJunkin moved further to amend the same, by inserting after the words "circuit courts," the following:

"And Physicians obstetrical fees."

Mr. Finch moved to amend said amendment by adding the following:

"And clerks fees for marriage license."

Mr. Proffit moved to postpone the further consideration of said resolution and proposed amendments indefinitely.

Before the question was put thereon,

The House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House met pursuant to adjournment,

And resumed the consideration of the resolution, depending at the last adjournment.

The question recurring on the motion of Mr. Proffit to postpone indefinitely the further consideration of said resolution and proposed amendment thereto.

It was thereupon put, to wit:

Shall said resolution and proposed amendments be indefinitely postponed?

And passed in the affirmative.

On motion of Mr. Bryant,

*Resolved*, That a select committee be appointed to examine

and report to this House, the amount and situation of the Wabash fund, and how much of said fund was contributed by certain counties in this state, and also how said fund has been employed since the same was created.

*Ordered*, That Messrs. Bryant, Bonner and Huntington be said committee.

Mr. Proffit moved the following resolution:

*Resolved*, That the names of gentlemen calling the previous question shall be spread upon the journals of this House;

Which was read and laid on the table.

Mr. Bryant, from the joint committee of enrolled bills reported, that they did on this day present the to Governor for his his approval and signature:

An act authorizing John Newby of Jackson county, to expend certain monies appropriated out of the three per cent. fund, on the Madison and Brownstown State road.

An act to extend the privileges granted to the Harrison and White Water bridge company.

An act to legalize the proceedings of the school commissioner of Sullivan county.

An act to locate a State road from Williamsport in Warren county by the way of Lebanon and Chesapeake to the State line.

An act to establish a State road in Vigo county.

An act to locate a State road from where the Michigan road crosses Yellow river, by the way of the county seat of Laporte county, to the mouth of Trail creek.

An act to locate a State road from Martinsville, in Morgan county, to intersect the State road leading from Madison to Indianapolis at Edinburgh, in Johnson county, by the way of Morgantown, in said Morgan county.

An act to legalize the proceedings of the commissioner appointed to mark and locate a State road from the town of Lagrange in Tippecanoe county, to Logansport in the county of Cass, by an act, approved, Feb. 5, 1832.

A memorial on the subject of the national road; and

A joint resolution on the subject of a rail road from the Mississippi river to the city of Washington.

Mr. Mitchell moved the following resolution:

*Resolved*, That the judiciary committee be instructed to report a bill to repeal the law authorising successful sutors at law to recover docket fees.

Mr. Bryant moved to amend the same by directing the committee to enquire into the expediency of reporting a bill instead of making it obligatory on said committee to report a bill;

Which motion was decided in the negative.

Mr. Stanford moved to amend said resolution by adding thereto the following:

"In all cases where the defendant shall appear upon the calling of the cause, and confess a judgment to the amount of the claim of such plaintiff;"

Which motion did not prevail.

The question recurring on the adoption of said resolution.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bradley, Clark, Cox, Crawford, Cristler, Crume, Culley, Daniel, Davis of Sh'y, English, Ferguson of U., Hamilton, Hanna, Hargrove, Henley, Howell, Lane, Lowe, Mastin, Mitchell, Moore, Palmer, Parks, Pruett, Sands, Slaughter, Wallace, Wooden, and Woodruff—31.

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Bryant, Buell, Carter of M. & C., Claypool, Cravens, Davenport, Dunn, Edwards, Ferguson of C., Finch, Harnegan, Heustis, Huntington, Levenworth, Lewis, Livingston, M'Junkin, M'Nary, Osborn, Payne, Peyton, Proffit, Rariden, Reid, Ribble, Roop, Ruddick, Schoonover, Shortridge, Skeen, Smith, Stanford, Steele, Vawter, Watt, and Davis, Speaker—38.

So said resolution was not adopted.

Mr. Proffit moved the following resolution:

*Resolved,* That the judiciary committee be instructed to enquire into the expediency of amending the law relative to divorces, so as to allow the associate judges of the different circuit courts within this State, to grant divorces in the absence of the president judge, or when the president judge has been previous to his election employed as counsel in cases of divorce,

With leave to report by bill or otherwise.

And on the question to adopt the same,

It was decided in the negative.

Mr. Parker, from the joint committee of enrolled bills, reported that they had compared the enrolled with the engrossed bills, entitled:

An act to establish a State road from Napoleon in Ripley county, via Camden, Newbern and Columbus in Bartholomew county to Bloomington in Monroe county;



An act to amend the act entitled an act to incorporate Hanover Academy; and

An act to relocate a part of the State road leading from Spencer in Owen county, to Danville in Hendricks county;  
And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.'

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

On motion of Mr. Rariden,

The several orders of the day which precede the bill for the establishment of a State bank, were suspended, and the House proceeded to consider said bill.

On motion of Mr. Rariden,

The same was committed to a committee of the whole House for this day, now.

The House then resolved itself into a committee of the whole on said bill; and after some time spent thereon, the speaker resumed the chair, and Mr. Palmer reported progress and asked leave to sit again;

Which leave was granted by the House.

And then the House adjourned until to-morrow morning 9 o'clock.

**TUESDAY, JANUARY 1st, 1833.**

The House met pursuant to adjournment.

The House proceeded to consider the following message received yesterday, from the Senate, by Mr. Morris, their Assistant Secretary:

**MR SPEAKER;**

The Senate has passed the following engrossed bills of the House of Representatives, entitled acts, as follows, to wit:

An act to establish a certain State road therein named,



A bill changing the direction of a road from Judge Lowry's farm, to Paris, Illinois;

An act to locate a State road from Greencastle in Putnam county to Carlisle in Sullivan county, by the way of Manhattan in Putnam county, and Bowlinggreen and New Brunswick in Clay county;

The first named bill with, and the two latter without amendment.

The Senate has also passed engrossed bills, originating in the Senate, entitled acts, as follows, to wit:

An act for the relief of Lismud Basye;

An act to locate a State road from Stilesville by way of New Maysville to Crawfordsville;

An act for the relief of Vincent Dufour, heir of John James Dufour, deceased; and

An act to amend the act for opening and repairing public roads and highways," approved February 10, 1831;

In which bills of the Senate, and the amendments proposed to the bill of the House, the concurrence of the House of Representatives is requested.

The amendment made by the Senate to the bill of the House first named in said message, was read and agreed to by the House.

*Ordered*, That the clerk inform the Senate thereof.

The bills of the Senate named in said message were severally read the first time and passed to a second reading.

Mr. Schoonover presented two petitions of sundry citizens of Washington and Lawrence counties severally praying that the county road leading from Salem to Leesville, be established a State road;

Which was read and referred to the committee on roads.

Mr. Wooden presented a petition of James Wood and others, citizens of Owen county, praying the passage of an act to authorize John Johnson to build a bridge over Rattle Shake Creek;

Which was read and referred to a select committee of Messrs. Wooden, Cox and Boyd.

Mr. Daniel moved that the several orders of the day which precede the bill establishing a State bank, be suspended, and that the House do now consider said bill;

Which motion was decided in the negative.

Mr. Ribble presented a petition of Samuel R. Collier and others, praying for the location of a State road from Munceytown to Delphi;

Which was read and rerred to a select committee of Messrs. Ribble, Davenport and Claypool.

Mr. Moore, from the judiciary committee to which was referred a resolution directing said committee to provide a remedy for securities, whose principals are about to abscond or leave the State, reported that, inasmuch as the present law provides for the exigency, it is therefore inexpedient to legislate on that subject, and ask to be discharged from the further consideration of the same;

Whereupon,

The committee was discharged accordingly.

Mr. Moore, from the same committee to which was referred a resolution instructing said committee to enquire into the expediency of amending the law relative to crime and punishment, so as to authorize certain persons to vend merchandize without a licence, reported that it is inexpedient so to change the law;

Which was read and concurred in by the House.

Mr. Moore, from the same committee to which was referred a resolution instructing said committee to enquire into the expediency of amending the act regulating the practice in suits at law, by incorporating into said act, the 7th section of the act entitled "an act amendatory of the law and for the better advancement of justice, approved January 20th, 1826, reported a bill to amend the act entitled an act subjecting real and personal estate to execution, approved Feb. 4th, 1832;

Which was read the first time and passed to a second reading.

Mr. Moore, from the same committee to which was referred a resolution directing said committee to enquire into the expediency of amending the 2d section of the act to amend an act entitled an act regulating the jurisdiction and duties of the justices of the peace, reported a bill to repeal the 2d section of said act;

Which was read the first time and passed to a second reading.

Mr. Moore, from the same committee to which was referred a resolution directing said committee to enquire into the necessity of so amending the criminal code, as to ameliorate the pains and penalties imposed by the same, reported that it is inexpedient to legislate on that subject;

Which report was read and concurred in by the House.

Mr. Moore, from the same committee to which was referred a resolution of this House, on that subject, reported a bill to amend the 9th section of the act entitled an act regulating the fees and salaries of the several officers and persons therein named, approved Feb. 7th, 1831;

Which was read the first time and passed to a second reading.

Mr. Moore, from the same committee to which was referred a resolution directing said committee to enquire into the expediency of amending the 66th section of the law, on that subject, reported a bill to amend the act entitled "an act relative to crime and punishment," approved Feb. 10th, 1831;

Which was read the first time and passed to a second reading.

Mr. Moore, from the same committee to which was referred a resolution instructing said committee, to enquire into the expediency of repealing the 58th section of the law relative to crime and punishment, reported that it is inexpedient to repeal said section.

On motion of Mr. Rariden,

Said resolution and report were re-committed to a select committee, with instructions to report a bill to repeal said section.

*Ordered*, That, Messrs. Rariden, Slaughter and Mitchell be that committee.

Mr. Culley made the following report, which was read and concurred in by the House, to wit:

The committee on claims, to which were referred the petition of John Stevens, praying the repayment of money by him expended in bringing certain horse thieves to justice; and also a resolution of this House, directing an enquiry into the propriety of remunerating others for similar services, have, according to order, had said petition and resolution under consideration, and are of opinion that it is inexpedient to the legislature on the subject.

Mr. Culley, from the same committee to which was referred the petition of George White, on that subject, reported a bill to authorize George White to keep a toll bridge across Silver creek;

Which was read the first time and passed to a second reading.

Mr. Lane made the following report:

The committee on roads to which were referred two resolutions directing them to enquire if any and what amendment may be necessary to the 36th section of the act entitled an act for opening and repairing public roads and highways, approved February 10, 1831, have had the same under consideration and have directed me to report that, in the opinion of the committee



no amendment is necessary, and therefore ask to be discharged from the further consideration of said resolution;

Which was read and concurred in by the House.

Mr. Lane, from the committee on roads to which was referred a petition of sundry citizens of Crawford county, praying for the location of a State road from Levenworth, to Mount Pleasant, and a road from Levenworth to Jasper; also, a petition of Andrew Mason and others, praying the location of a State road from New Albany to Jasper, reported a bill to establish certain State roads therein named;

Which was read the first time and passed to a second reading.

Mr. Sands, from the committee on roads made the following report:

The committee on roads to which was referred so much of the petition of sundry citizens of Monroe county, as prays an amendment of the road law of 1831, and that provisions similar to those of 1826, be substituted. Also,

Resolutions of this House, praying for a State road from Corydon, in Harrison county via Greenville in Floyd county, to New Providence, in Clark county. And,

For a State road from the county seat of St. Joseph county, by the way of the mouth of Little Elk Hart river, and the county seat of Lagrange county, to the east line of this State, in the direction of Vistula on the Maumee Bay, in the State of Ohio, have had the same under consideration and instruct me to report it inexpedient to legislate upon the same at this time;

Which was read and concurred in by the House.

Mr. Proffit, from the select committee to which was referred a petition of sundry citizens of Pike county, on that subject, reported a bill to vacate part of a certain State road therein named;

Which was read the first time and passed to a second reading.

Mr. Parker, from the joint committee of enrolled bills, reported that they had compared the enrolled with the engrossed bills, entitled:

An act to locate a State road from Greencastle in Putnam county to Carlisle in Sullivan county, by the way of Manhattan in Putnam county, and Bowlinggreen and New Brunswick in Clay county; and,

An act changing the direction of a road from Judge Lowry's farm, to Paris, Illinois;

And find the same truly enrolled.



Whereupon,

The Speaker signed said bills.

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

Mr. Bryant, from the joint committee of enrolled bills reported, that they did on yesterday present to the Governor for his approval and signature:

An act to establish a State road from Napoleon in Ripley county, via Camden, Newbern and Columbus in Bartholomew county to Bloomington in Monroe county;

An act to amend the act entitled an act to incorporate Hanover Academy; and

An act to relocate a part of the State road leading from Spencer in Owen county, to Danville in Hendricks county.

A message from the Governor by Mr. Maguire his private secretary:

MR. SPEAKER:

I am instructed by His Excellency the Governor to inform the House of Representatives, that he did, on this day, approve and sign bills, a joint resolution, and a memorial of the following titles, all of which originated in the House of Representatives, viz:

An act to amend the act, entitled "an act to incorporate the Hanover Academy."

An act to re-locate part of the State road leading from Spencer in Owen county, to Danville, in Hendricks county.

An act to legalize the proceedings of the commissioner appointed to mark and locate a State road from the town of Lagrange in Tippecanoe county, to Logansport in the county of Cass; by an act, approved, Feb. 5, 1832.

An act to locate a State road from where the Michigan road crosses Yellow river, by the way of the county seat of Laporte county, to the mouth of Trail creek.

An act to locate a State road from Martinsville, in Morgan county, to intersect the State road leading from Madison to Indianapolis at Edinburgh, in Johnson county, by the way of Morgantown, in said Morgan county.

An act to establish a State road in Vigo county.

An act to extend the privileges granted to the Harrison and White Water bridge company.

An act to locate a State road from Williamsport in Warren county by the way of Lebanon and Chesapeake to the State line.

An act to legalize the proceedings of the school commissioner of Sullivan county.

An act authorizing John Newby of Jackson county, to expend certain monies appropriated out of the three per cent. fund, on the Madison and Brownstown State road.

To establish a state road from Napoleon, in Ripley county, via Camden, Neburn, and Bolumbus in Batholemew county, to Bloomington in Monroe county.

A memorial on the subject of the national road; and

A joint resolution on the subject of a rail road from the Mississippi river to the city of Washington.

Mr. Osborn, from the select committee to which was referred the petition of Joseyh Shaw and others, on that subject, reported a bill to provide for the building of school houses in congressional township No. 17, north of range No. 9 west in the county of Vermillion;

Which was read the first time and passed to a second reading.

Mr. Cristler, from the select committee to which was referred the petition of John Conner, reported a bill for the relief of the petitioner;

Which was three times read (the rules of the House having first been dispensed with) and passed.

*Ordered*, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Mr. Daniel moved the following preamble and resolution:

WHEREAS, the Erie and Wabash canal is now partly under contract; and whereas that great work is well and happily designed to connect the northern with the southern trade, and furnish at intervenient points, all the products of the various and almost unlimited climates: And whereas the aforesaid work is well calculated to bring about a quick interchange of habit, feeling and interest from the northern extremity of our country, with the milder climes of the south, and furnishing the ready means of safe conveyance of the variety of the numerous climates to each other: And whereas the above undertaking is believed well calculated to cement this Union: And whereas it is seriously believed, that the object of the said canal, so far as the south shall be concerned, will be inoperative, without an additional one, commencing at M'Intosh's Falls, on the Great Wabash river, running in such a way as to clear the intervenient obstructions, as well as the insuperable bar, at the mouth of that river; therefore,

*Resolved*, That the committee on internal improvements be directed to enquire into the expediency and propriety of memorializing Congress upon the above subject, and praying the aid of one or more of the Engineer corps, to make the necessary survey and enquiry;

Which was read, and

On the question to adopt the same,

It was decided in the negative.

On motion of Mr. Smith,

*Resolved*, That a select committee be appointed to examine the condition of the office of the Agent of the 3 per cent. fund and report the condition thereof; and that said committee be instructed to enquire into the expediency of abolishing said officer, and placing the funds thereof in the hands of the treasurer of state, and report by bill or otherwise.

*Ordered*, That Messrs, Smith, Cravens and Lane be that committee.

On motion of Mr. Daniel,

The resolution moved by him and laid on the table on the 29th ultimo, calling on the Agent of the 3 per cent. fund for a detailed report in relation to the \$100,000 originally appropriated out of that fund, was taken up; and

On the question to adopt the same,

It passed in the affirmative.

On motion of Mr. Howell,

*Resolved*, That the same select committee to which the resolution was recommitted, providing for the strength of the militia of this state to be reported by the listers of the several counties, enquire into the expediency of so amending the militia law as to authorize the 27th regiment of Indiana militia, to form two independent battallions and muster accordingly,

With leave to report by bill or otherwise.

On motion of Mr. M'Junkin,

The vote taken this day on the adoption of the resolution moved by Mr. Daniel, relative to the three per cent. fund, was re-considered.

Mr. Bell moved that said resolution be laid on the table,

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bonner, Boyd, Bradley, Culley, Davis of Sh'y, Ferguson of U., Hanna, Hargrove, Henley, Heustis, Howell, Lane, Levenworth, Livingston, M'Junkin, Rariden, Reid, Rib-



He, Roop, Schoonover, Skeen, Smith, Stanford, Woodruff and Davis, Speaker—26.

*And those who voted in the negative, are*

Messrs. Bradbury, Bryant, Buell, Clark, Claypool, Cox, Cravens, Crawford, Cristler, Crume, Daniel, Davenport, Edwards, English, Ferguson of C., Finch, Hamilton, Hannegan, Huntington, Lewis, Lowe, Mastin, Mitchell, Moore, Palmer, Parker, Parks, Payne, Peyton, Proffit, Pruett, Ruddick, Sands, Shortridge, Steele, Vawter, Wallace, Watt and Wooden—39.

So said motion was decided in the negative.

Mr. Steele moved to amend said resolution, so as to refer the subject therein contemplated, to the select committee raised this day to examine the office of the Agent of said fund.

Mr. Hanna moved to postpone indefinitely the further consideration of said resolution and proposed amendment.

And the ayes and noes being requested thereon, by two members.

*Those who voted in the affirmative are,*

Messrs. Bell, Clark, Cravens, Davenport, Davis of Sh'y, Hanna, Heustis, Lane, Levenworth, Livingston, M'Junkin, Moore, Reid, Roop, Skeen, Smith, Stanford, Vawter, Wallace, Wooden and Davis, Speaker—21.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bradbury, Bradley, Bryant, Carter of M. & C., Claypool, Cox, Crawford, Cristler, Crume, Culley, Dainel, Edwards, English, Finch, Hamilton, Hannegan, Hargrove, Howell, Huntington, Lewis, Lowe, Mitchell, Osborn, Palmer, Parker, Parks, Payne, Peyton, Proffit, Pruett, Ribble, Ruddick, Sands, Schoonover, Shortridge, Steele, Watt and Wooden—40.

So said motion was decided in the negative.

Mr. M'Junkin moved to amend the said proposed amendment of Mr. Steele, so as to direct the select committee above named, if they think it expedient to require the Agent to make such report as the resolution recognizes;

Which motion was decided in the negative; and

Before the question was taken on the amendment moved by Mr. Steele,

It was (after leave being granted) withdrawn by the mover.



The question recurring on the adoption of said resolution,  
It passed in the affirmative.

On motion of Mr. Howell,

Mr. Daniel was added to the select committee appointed to examine the office of the Agent of the 3 per cent. fund.

Mr. Lane asked and obtained leave to be excused from serving on said committee.

On motion of Mr. Cravens,

*Ordered*, That Mr. Hanna be added to that committee.

Mr. Moore moved that the House do adjourn until to-morrow morning at 9 o'clock.

And the ayes and noes being requested thereon by two members.

*Those who voted in the affirmative are,*

Messrs. Bradley, Bryant, Claypool, Cox, Crume, Culley, Daniel, Davenport, English, Ferguson of U., Finch, Hanna, Hannegan, Heustis, Huntington, Lane, Livingston, M'Junkin, Mitchell, Moore, Osborn, Parker, Proffit, Roop, Ruddick, Skeen, Slaughter, Smith, Steele and Davis, Speaker—30.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Carter of M. & C., Clark, Cravens, Crawford, Cristler, Davis of Sh'y, Edwards, Hamilton, Hargrove, Howell, Levenworth, Lewis, Lowe, Mastin, Palmer, Parks, Payne, Peyton, Pruett, Rariden, Reid, Ribble, Sands, Schoonover, Shortridge, Stanford, Vawter, Wallace, Watt, Wooden and Woodruff—35.

So said motion was decided in the negative.

And then,

On motion of Mr. M'Junkin,

The House adjourned until to-morrow morning, at eight o'clock.

WEDNESDAY, JANUARY 2d, 1833.

The House met pursuant to adjournment.

Mr. Fowler, to whom leave of absence was heretofore granted, appeared and resumed his seat.

Mr. Bell presented a petition of James Hughey and others, praying a relocation of part of the State road leading from Knightstown in Henry county to Strawtown in Hamilton county;

Which was read and referred to a select committee of Messrs. Bell, Stanford and Davenport.

Mr. Davenport presented sundry petitions of citizens of the counties of Boon, Clinton and Tippecanoe, severally praying for the location of a State road from Lebanon in Boon county, through Thorntown to Prairieville in Clinton county, or for the relocation of a State road between the points aforesaid, with an accompanying document;

Which were severally read and referred to the committee on roads.

Mr. Carter of M. & C. presented several remonstrances of sundry persons against the prayer of the above mentioned petitions;

Which were referred to the same committee.

Mr. Davis of Sh'y presented a remonstrance of Richard Johnson and others, citizens of Bartholomew and Shelby counties, against the establishment of a state road from Shelbyvillg via Newbern to Vernon;

Which was read and referred to the committee on roads.

Mr. Davis of Sh'y presented a petition of William Major and others, children of Allen Major deceased, (an alien) praying a legislative act to remove their disability to inherit the real estate of their said father;

Which was read and referred to the committee on the judiciary.

Mr. Pruett presented a remonstrance of Samuel Hill, sen'r and others, against the passage of an act to locate a state road from Montezuma to intersect the state road from Danville to Montezuma;

Which was read and laid on the table.

Mr. Palmer from the committee of ways and means, to which was referred a resolution directing said committee to enquire into the expediency of so amending the law for assessing and collecting the revenue, as to provide for the election of one assessor in each election district, and for the election of county treasurer

by the qualified electors of the county, reported that it is inexpedient to legislate on that subject;

Which was read; when

Mr. Crume moved to recommit said report to a select committee, with instructions to report a bill providing for the election of county treasurer by the people.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Bradbury, Carter of M. & C., Claypool, Cox, Crawford, Cristler, Crume, Culley, Daniel, Davenport, Davis of Sh'y, Edwards, Ferguson of U., Finch, Fowler, Hamilton, Hanna, Hargrove, Henley, Heustis, Howell, Huntington, Lane, Levenworth, Lewis, Lowe, Mastin, Mitchell, Osborn, Palmer, Parker, Parks, Peyton, Proffit, Pruett, Rariden, Ribble, Ruddick, Sands, Shortridge, Skeen, Smith, Steele, Vawter, Wallace, Watt, Woodruff and Davis, Sp'k—50.

*And those who voted in the negative are,*

Messrs. Bradley, Bryant, Clark, English, Ferguson, of C., Moore, Payne, Reid, Roop, Schoonover and Stauffer—11.

So said motion passed in the affirmative.

*Ordered,* That Messrs. Crume, Cox and Wallace be that committee.

Mr. Moore from the committee on the judiciary to which was referred, a resolution instructing said committee to enquire into the expediency of so changing the law relative to crime and punishment, as to do away imprisonment in the county jail for certain criminal offences, reported that it is inexpedient to legislate on that subject;

Which was read and concurred in by the House.

Mr. Ferguson of C., from the committee on education, to which was referred a resolution on that subject, reported

A bill to incorporate a board of trustees for the promotion of schools and education in Clark's Grant;

Which was read the first time and passed to a second reading.

Mr. Wallace, after having obtained leave, presented a petition of J. E. Roe and others, praying relief to Philip Davis and Barney Riely, securities of Julius Johnson, deceased, late collector of Martin county;

Which was read and referred to a select committee of Messrs. Wallace, M'Junkin and Payne.



Mr. Osborn from the select committee to which was referred a petition of sundry citizens of Vermillion county on that subject, reported

A bill for the benefit of Asa Church, and for other purposes;

Which was read the first time and passed to a second reading.

Mr. Watt moved the following resolution:

*Resolved*, That a select committee be directed to examine and report to this House, the unfinished business of the last session; and

On the question to adopt the same,

It was decided in the negative.

Mr. Hanna moved the following resolution:

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of changing the law now in force, so as to make the act of any one taking and carrying away from the enclosure of another, apples or peaches from the trees, melons or grapes from the vines, or corn from the stalks, felony, in place of trespass.

Which was read; when

Mr. Moore moved to strike out from said resolution, the words "in place of trespass," which was accepted by the mover of said resolution as a modification thereof.

Mr. Steele moved to strike out so much of said resolution as makes the taking of apples, peaches, melons or grapes, from the vines, &c. larceny.

On motion of Mr. Sands,

Said resolution and proposed amendment were indefinitely postponed.

On motion of Mr. Davis of Sh'y,

*Resolved*, That the select committee on the Michigan road be instructed to enquire into the expediency of appropriating a reasonable sum out of said road funds, to build a stone pier under the bridge over Flat Rock on said road,

With leave to report by bill or otherwise.

On motion of Mr. Crawford,

The bill organizing the 8th judicial circuit and fixing the times of holding courts therein, heretofore laid on the table was taken up.

Mr. Palmer moved to postpone the further consideration of said bill and proposed amendments thereto, until the first Monday in December next.

Mr. Crume moved to lay the same on the table;

Which motion was decided in the negative.



The question then recurring on the motion of Mr. Palmer to postpone—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Clark, Cristler, Crume, English, Ferguson of U., Hamilton, Hargrove, Levenworth, M'Junkin, Palmer, Parks, Payne, Pruett, Reid, Ruddick, Schoonover, Skeen, Smith, Vawter and Wallace 22.

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Claypool, Cox, Crawford, Culley, Daniel, Davenport, Davis of Sh'y, Dunn, Edwards, Finch, Fowler, Hanna, Hannegan, Henley, Heustis, Howell, Huntington, Lewis, Livingston, Lowe, Mastin, Mitchell, Moore, Osborn, Parker, Peyton, Proffit, Rariden, Ribble, Roop, Sands, Shortridge, Slaughter, Stanford, Steele, Watt, Wooden, Woodruff and Davis, Speaker—45.

Sosaid motion was decided in the negative.

Mr. Dunn moved to recommit said bill, with the amendments, to the judiciary committee, with instructions to report a bill providing for the establishment of an 8th judicial circuit, and for three terms of the circuit courts of this state to be held in each year."

Mr. Mitchell moved to amend said instructions, by striking out so much thereof as relates to three terms of the circuit courts in a year.

Which motion did not prevail.

Mr. Dunn moved to amend the instructions proposed by him, by adding thereto the following: "and so altering the practice of said courts, that the first term after the commencement of a suit, shall be the appearance term, at which the issue shall be made up."

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradley, Bryant, Buell, Clark, Cristler, Crume, Culley, Dunn, Henley, Heustis, Livingston, M'Junkin, Mitchell, Moore, Roop, Slaughter and Vawter—17.

*And those who voted in the negative, are*

Messrs. Bell, Bonner, Boyd, Bradbury, Carter of M. & C., Claypool, Cox, Crawford, Daniel, Davenport, Davis of Sh'y, Edwards, English, Ferguson of U., Finch, Fowler, Hamilton, Hanna, Hargrove, Howell, Lane, Levenworth, Lewis, Lowe, Mastin, Osborn, Palmer, Parker, Parks, Payne, Peyton, Proffit, Rariden, Reid, Ribble, Ruddick, Sands, Schoonover, Shortridge, Skeen, Smith, Stanford, Steele, Wallace, Watt, Woodruff and Davis, Speaker—47.

So said motion was decided in the negative.

The question was then put on recommitting the bill with instructions as proposed by Mr. Dunn—

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Bradley, Bryant, Buell, Cristler, Crume, Culley, Dunn, Edwards, Heustis, Lewis, Livingston, M'Junkin, Rariden, Roop, Skeen, Slaughter, Steele, and Watt—19.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Carter of M. & C., Clark, Claypool, Cox, Crawford, Daniel, Davenport, Davis of Sh'y, English, Ferguson of U., Finch, Fowler, Hamilton, Hanna, Hargrove, Henley, Howell, Lane, Levenworth, Lowe, Mastin, Mitchell, Moore, Osborn, Palmer, Parker, Parks, Payne, Peyton, Proffit, Reid, Ribble, Ruddick, Sands, Schoonover, Shortridge, Smith, Stanford, Vawter, Wallace, Wooden, Woodruff and Davis, Speaker—46.

So said motion was decided in the negative.

Mr. Crume, after having obtained leave, withdrew his proposed amendment to the amendment made to said bill by the judiciary committee, depending when the bill was laid on the table.

The amendment proposed to the bill by the judiciary committee, was then agreed to by the House.

On motion of Mr. Proffit,

Said bill was considered as engrossed and read a third time.

The question was then put, shall the bill pass?

And the ayes and noes being requested thereon by two members.

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Bradley, Bryant, Buell, Carter of M. & C. Claypool, Cox, Crawford, Culley, Daniel, Davenport, Davis of Sh's, Dunn, Edwards, Finch, Fowler, Hanna, Henley, Heustis, Howell, Lane, Lewis, Livingston, Lowe. Mastin, Mitchell, Moore, Osborn, Peyton, Proffit, Rariden, Ribble, Roop, Sands, Shortridge, Skeen, Slaughter, Stanford, Steele, Watt, Woodruff and Davis, Speaker—43.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Clark, Cristler, Crume, English, Ferguson, of U., Hamilton, Hargrove, Levenworth, M'Junkin, Palmer, Parker, Parks, Payne, Pruett, Reid, Ruddick, Schoonover, Smith, Vawter, Wallace, and Wooden—23.

So said bill passed.

*Ordered,* That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

And that the House adjourned until 2 o'clock, P. M.

*2 o'clock P. M.*

The House met pursuant to adjournment.

Mr. Parker, after having obtained leave presented a bill supplemental to an act entitled an act to locate a State road from Merom, in Sullivan county, to a point on the Terre-Haute and Bono State road, approved January 20th, 1832;

Which was read the first time and passed to a second reading.

Mr. Claypool, after having obtained leave presented a bill for location of a State road from Chambersburgh in Fountain county to Williamport, in Warren county;

Which was read the first time and passed to a second reading.

Mr. Parker, after having obtained leave, presented a bill to incorporate the Ohio and Charlestown turnpike company;

Which was twice read, (the rules of the House having first been dispensed with) and

*Ordered,* To be engrossed and read a third time on to-morrow.

On motion of Mr. Finch,

The several orders of the day which precede the bill to amend an act entitled "an act prescribing the mode of changing the venue, approved January 28th, 1824, were for the present postponed, and,

The said bill was read the second time.

Mr. Finch moved to dispense with the rules of the House, and that said bill be considered as engrossed and read the third time, now,

Pending that question, it was,

On motion of Mr. Proffit,

Ordered, That said bill be committed to a committee of the whole House for to-morrow.

A message from the Senate by Mr. Morris, their Assistant Secretary.

**MR. SPEAKER,**

The Senate has passed an engrossed joint resolution, originating in the House of Representatives, relative to the public ferry at Indianapolis, with an amendment. Also, engrossed joint resolutions and bill of the Senate, entitled as follows, to wit:

A joint resolution of the General Assembly, relative to public lands;

A joint resolution authorizing the subscription for the second volume of Blackford's reports; and,

An act to change a part of the State road from Levensworth's mill to Orleans, in Orange county;

In which bills and joint resolutions of the Senate, and the amendment proposed to the joint resolution of the House, the concurrence of the House of Representatives is requested.

The amendment proposed by the Senate to the joint resolution of the House, named in said message,

Was read and agreed to by the House.

The joint resolutions and bill from the Senate, named in said message,

Were severally read the first time and passed to a second reading.

Mr. Bryant, from the joint committee of enrolled bills reported, that they did on this day present to the Governor for his approval and signature:

An act to locate a State road from Greencastle in Putnam county to Carlisle in Sullivan county, by the way of Manhattan in Putnam county, and Bowlinggreen and New Brunswick in Clay county; and,



An act changing the direction of a road from Judge Lowry's farm, to Paris, Illinois;

On motion of Mr. Rariden,

The several orders of the day which precede the bill for the establishment of a State bank, were for the present postponed;

Whereupon,

The House again resolved itself into a committee of the whole on said bill; and after some time spent thereon, the speaker resumed the chair, and Mr. Steele reported progress and asked leave to sit again;

Which leave was granted by the House.

And then the House adjourned until to-morrow morning 9 o'clock.

## THURSDAY, JANUARY 3, 1833.

The House met pursuant to adjournment.

The Speaker laid before the House a communication from James Blake & Co., covering an extract of a letter from Ithiel Town, Esq. relative to the State House square and the capitol contemplated to be built thereon;

Which was read and referred to the committee on public buildings.

Mr. Davenport presented a petition of Cornelius Westfall and others, citizens of Thorntown, Boone county, praying the passage of an act to authorize the proprietor of said town, to exchange lot No. 16, in the same, for lot No. 85 formerly appropriated for school purposes;

Which was read and referred to a select committee of Messrs. Davenport, Hanna and Bryant.

Mr. Parks presented a petition of John Smith and others, relative to purchasers of lands in the reserved township, in Monroe county, accompanied by a certificate of Wm. D. McCullough;

Which was read and referred to a select committee of Messrs. Parks, Slaughter, Wooden and Palmer.

Mr. Lowe presented a petition of John Ryon and others, cit-

treas of Franklin county, praying that a part of said county be attached to the county of Rush;

Which was read, and

On motion of Mr. Reid.

Laid on the table.

Mr. Fowler presented a petition of William Ross and others, citizens of Adams township, Decatur county, praying for an addition justice of the peace, in said township;

Which was read and referred to the committee on the judiciary.

Mr. Bell presented a petition of Solomon Wise, John Hoover, and others, praying a relocation of a part of the State road leading from Knightown, via Pendleton, to Strawtown;

which was read and referred to the same select committee to which was referred a former petition on the same subject.

Mr. Palmer made the following report:

The committee of ways and means to whom was referred a resolution of this House, directing an enquiry into the expediency of so amending the revenue law, as to make it the duty of the people to meet the assessor at the election precincts, on the first Monday, in April, in each and every year, or at some other stated time, for the purpose of giving the assessor a list of their taxable property, have directed me to report a bill embracing that object. The same committee have had the same under their consideration, another part of the same resolution, which directs an enquiry into the "expediency of so amending the revenue law as to make it the duty of the several assessors of the state and county revenue for the year 1833, to rate the land subject to taxation, having due regard to the first section of an act entitled an act for assessing and collecting the revenue, approved Feb. 10th, 1831," have duly considered the subject, and are of opinion that the present revenue law requires the assessors to rate the lands by them listed in each and every year; and that it is inexpedient to legislate on the subject. The committee therefore ask to be discharged.

The last branch in said report was read and concurred in by the House.

The bill reported in obedience to the first branch of said resolution, to wit:

A bill to amend an act for assessing and collecting the reveue, approved February 10th, 1831;

Was read the first time and passed to a second reading.

Mr. Moore made the following report:

The judiciary committee to which was referred a resolution in

reference to so much of the Governor's message, as relates to the extension of a portion of the laws of the state of Indiana, over the Miami tribe of Indians, and the sale of spiritous liquors to those Indians, have had the same under consideration; and to so much of said resolution, as regards the extension of a portion of the laws of this state, over the Miami tribe of Indians, the committee have, with deep solicitude, for the interest of the state, and the peace and safety of the population surrounding this remnant of a once numerous tribe, anxiously examined every object, even remotely calculated to ameliorate their unhappy condition. The subject here presented, is one which opens to the mind, an ample range, for its exercise and investigation; both as it relates to the power of the state, in exercising this extent of jurisdiction, and as it relates to the fit objects to be embraced by it. The committee duly appreciate the humane motives which must have influenced the Executive of this state, in presenting this interesting subject for legislative notice, and have bestowed all that attention upon it, which its importance demands; but if they could even unite, in conceding the power of the state to extend her jurisdiction, as suggested, much difficulty presents itself in point of its limitation and its policy at this time. Indications from a source which it is thought are entitled to some weight, together with the experience of a few past years, enables us to entertain the liveliest hope, that in a short time, we shall find the only remaining tribe of Indians, within the limits of our state, voluntarily relinquishing their lands, at a fair equivalent, and pursuing the example of those who have gone before them, quitting our borders forever. Under this view of the subject, and in the hope of that event, the committee have thought it advisable and safe, if not the most prudent and politic, to suggest a suspension of legislative action upon this subject, at present.

Upon the subject of the sale of spiritous liquors to these Indians, the committee would state, that a law was passed at the last session of the legislature, prohibiting the same; and making it punishable by fine and imprisonment for any person or persons of any description whatever, whether associated in company, or individually, to sell, give, barter or exchange, or dispose of in any way, either directly or indirectly, any spiritous or intoxicating liquors, to any Indian or Indians, within this state. Any law, upon this or any other subject, however severe the penalties for its violation, unless rigidly enforced, against offenders, could avail nothing, and the existing law is deemed abundantly sufficient to prevent the evil complained of, if properly and rigidly enforced. The committee therefore ask to be discharged upon this subject;

Which was read and concurred in by the House.

Mr. Schoonover from the committee on education, in which



was referred a resolution instructing said committee to enquire into the expediency of providing by law for the sale of certain lands (commonly called saline reserves) reported a bill to provide for the sale of certain lands therein named;

Which was read the first time and passed to a second reading.

Mr. Lane made the following report,

Which was read and concurred in by the House.

The committee on roads to which was referred a petition of sundry citizens of the counties of Hendricks, Boone and Montgomery, praying for an appropriation out of the 3 per cent. fund, for the improvement of a certain state road therein named, have had the same under consideration and have directed me to report, that it is inexpedient to legislate on that subject.

Mr. Lane from the committee on roads to which was referred a petition of sundry citizens of Washington and Lawrence counties on that subject, reported a bill to establish a state road from Salem in Washington county to Leesville in Lawrence county;

Which was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time to-morrow.

Mr. Davenport made the following report:

The select committee to which was referred the petition of Thomas Arnett and others, praying for the change of the route of a certain State road leading from Indianapolis to the falls of Fall creek, also a remonstrance against such change, have had that subject under consideration, and ask to be discharged from the further consideration thereof, and that said petition and remonstrance be referred to the committee on roads;

Which was read and concurred in by the House.

On motion of Mr. Parker,

*Resolved*, That the judiciary committee be requested to enquire into the expediency of authorizing called sessions of Circuit Courts in this state; for the trial of persons charged with any criminal offence;

With leave to report by bill or otherwise.

On motion of Mr. Culley,

*Resolved*, That the select committee to which sundry resolutions and reports were referred, relative to the Michigan road, be instructed to enquire whether the appropriations made at the last session for the improvement of said road, have been judiciously and properly applied; and if any, what amendment is necessary to the existing law, to ensure an economical and proper application of future appropriations for the improvement of said road.



Mr. Henley moved the following resolution:

*Resolved*, That the House will each day, at 11 o'clock, A. M. proceed to the consideration of business in the orders of the day.

Mr. Culley moved to strike out of said resolution "11" and insert in lieu thereof "10;"

Which motion was decided in the negative.

Mr. Huntington moved to lay said resolution on the table—

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Bradbury, Bryant, Clark, Claypool, Cox, Crume, Daniel, Dunn, Edwards, Fowler, Hanna, Hargrove, Heustis, Huntington, M'Nary, Mitchell, Moore, Osborn, Peyton, Proffit, Pruett, Rariden, Reid, Ribble, Roop, Skeen, Smith, Stanford, Steele, Vawter, and Wallace—33.

*And those who voted in the negative are,*

Messrs. Boyd, Bradley, Buell, Cravens, Cristler, Culley, Davenport, Davis of Sh'y, English, Ferguson of C., Ferguson of U., Finch, Hamilton, Henley, Howell, Lane, Levenworth, Lewis, Livingston, Lowe, Mastin, Palmer, Parker, Parks, Payne, Rud-dick, Sands, Schoonover, Shortridge, Watt, Wooden, Woodruff and Davis, Speaker—33.

So said motion was decided in the negative.

Mr. Howell moved to amend the same by striking out "11 o'clock, A. M." and insert in lieu thereof "2 o'clock P. M."

Which motion passed in the affirmative.

Mr. Payne moved further to amend said resolution by adding thereto the following:

"And that the merits of resolutions of enquiry shall not be debated.

Mr. Bell moved to postpone the further consideration of said resolution and proposed amendment indefinitely—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Bradley, Bryant, Carter of M. & C., Clark, Cox, Cravens, Crawford, Cristler, Daniel, Davis of Sh'y, Edwards,

Ferguson of C., Ferguson of U., Fowler, Hanna, Henley, Heustis, Huntington, Lewis, M'Nary, Mitchell, Moore, Osborn, Peyton, Proffit, Pruett, Rariden, Reid, Ribble, Roop, Skeen, Smith, Stanford, Steele, Vawter and Wallace—38.

*And those who voted in the negative, are*

Messrs. Bonner, Boyd, Buell, Claypool, Crume, Culley, Dunn, English, Finch, Hamilton, Hargrove, Howell, Lane, Levenworth, Lowe, Mastin, Palmer, Parker, Parks, Payne, Ruddick, Sands, Schoonover, Shortridge, Watt, Wooden, Woodruff and Davis, Speaker—29.

So said resolution and proposed amendment were indefinitely postponed.

Mr. Cristler moved the following resolution:

*Resolved*, That that the committee on the judiciary be instructed to enquire into the expediency of so amending the law authorizing appeals from the judgment of a justice of the peace to the Circuit Court, as to require the appellants in all such cases, previous to taking such appeal, to file with the justice before whom the cause was tried an affidavit, "that such appellant does not take such appeal merely for delay; but that he has merits in such appeal;"

With leave to report by bill or otherwise.

Which was read, and

On the question to adopt the same,

It was decided in the negative.

Mr. Cravens moved the following resolution:

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of so changing an act entitled "an act for the appointment of county surveyors and their deputies," as to authorize the boards doing county business in each county in this state, when they deem it necessary, to divide their respective counties into two districts, and and for the appointment of a surveyor in each district;

Which was read, and

On the question to adopt the same,

It was decided in the negative.

Mr. Proffit moved to take up a resolution offered by himself and laid on the table on the 31st ult. on the subject of a call for the previous question—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Buell, Claypool, Cox, Crawford, Cristler,

Crume, Culley, Daniel, Dunn, Fowler, Hanna, Hargrove, Henley, Howell, Huntington, Levenworth, Livingston, Lowe, Moore, Osborn, Parker, Payne, Proffit, Reid, Ribble, Roop, Sands, Schoonover, Slaughter, Smith, Steele and Watt—33.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradbury, Bradley, Bryant, Carter of M. & C., Clark, Cravens, Davis of Sh'y, Edwards, English, Ferguson of C., Ferguson of U., Finch, Hamilton, Heustis, Lane, Lewis, Mastin, M'Nary, Mitchell, Palmer, Parks, Peyton, Pruett, Ruddick, Shortridge, Skeen, Stanford, Vawter, Wallace, Wood-en, Woodruff and Davis, Speaker—34.

So said motion was decided in the negative.

On motion of Mr. Steele,

The memorial and joint resolution on military affairs laid on the table on the 31st ultimo, was taken up.

The question recurring on the amendment proposed by Mr. Steele to the amendment made by the committee on military affairs.

Before the question was put thereon,

Mr. Lane moved to postpone said memorial and joint resolution with the proposed amendments thereto, indefinitely,

And the ayes and noes being requested thereon, by two members.

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Clark, Cox, Cravens, Cristler, Culley, Davis of Sh'y, Ferguson of C., Fowler, Hanna, Hargrove, Lane, Mastin, Mitchell, Moore, Osborn, Parker, Parks, Payne, Peyton, Pruett, Schoonover, Shortridge, Slaughter, Watt, Wood-en, Woodruff and Davis, Speaker—30.

*And those who voted in the negative are,*

Messrs. Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Claypool, Crume, Dainel, Davenport, Dunn, Edwards, English, Ferguson of U., Hamilton, Heustis, Howell, Huntington, Levenworth, Lewis, Livingston, M'Nary, Palmer, Proffit, Raride, Reid, Ribble, Roop, Ruddick, Sands, Skeen, Smith, Stanford, Steele, Vawter, and Wallace—35.

So said motion was decided in the negative.

The question recurring on Mr. Steele's proposed amendment,



And the ayes and noes being requested thereon by two members.

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bradbury, Bradley, Clark, Claypool, Culley, Dunn, Edwards, Ferguson of U., Hamilton, Hanna, Heustis, Howell, Levenworth, Lewis, Mitchell, Moore, Proffit, Rariden, Ribble, Ruddick, Sands, Shortridge, Stanford, Steele, Vawter and Woodruff—28.

*And those who voted in the negative are,*

Messrs. Bryant, Euell, Carter of M. & C., Cox, Cravens, Cristler, Crume, Daniel, Davenport, Davis of Sh'y, English, Ferguson of C., Fowler, Hargrove, Henley, Huntington, Lane, Livingston, Lowe, Mastin, M'Nary, Osborn, Palmer, Parker, Parks, Payne, Peyton, Pruett, Reid, Schoonover, Skeen, Slaughter, Smith, Wallace, Watt, Wooden and Davis, Speaker—37.

So said motion was decided in the negative.

The question was then put on the amendment made to the  
Which decided in the negative.  
same by the committee on military affairs;

On motion of Mr. Schoonover,

Said memorial and joint resolution were recommitteed to a select committee, with instructions to amend the same so as to make its several parts harmonize.

Ordered, That Messrs. Schoonover, Hanna and Sands be that committee.

Mr. Schoonover, after having obtained leave, presented a bill appointing a commissioner to roads No. 10 and No. 26, and authorizing the expenditure by him of the balance due said roads:

Which was twice read (the rules of the House having first been dispensed with) and

Ordered to be engrossed and read a time to-morrow.

Mr. Huntington, after having obtained leave, presented a bill to amend an act entitled "an act to incorporate the town of Terre-Haute, approved January 26, 1832;

Which was read the first time and passed to a second reading.

Mr. Livingston, after having obtained leave, presented a bill, supplemental to an act to establish and regulate ferries, approved Feb. 10th, 1831;

Which was read the first time and passed to a second reading.



Mr. Livingston, after having obtained leave, presented a bill to organize circuit probate courts;

Which was read the first time and passed to a second reading.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment,

And proceeded to consider the orders of the day.

The bill for the relief of execution defendants; and

The bill to incorporate the county Seminary of Posey, and for other purposes;

Were severally read the second time and committed to a committee of the whole House for to-morrow.

The bill altering the line dividing the counties of Owen and Putnam,

Was read the second time, when

Mr. Sands moved to postpone the further consideration thereof indefinitely.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Bryant, Buel, Carter of M. & C., Clark, Claypool, Cravens, Cristler, Culley, Durn, Edwards, Finch, Hamilton, Hargrove, Heustis, Howell, Huntington, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Moore, Osborn, Palmer, Parker, Payne, Pruett, Rariden, Reid, Ribble, Roop, Ruddick, Sands, Schoonover, Shortridge, Skeen, Slaughter, Smith, Steele, Wallace, Woodruff and Davis, Speaker—50.

*And those who voted in the negative, are*

Messrs. Cox, Crume, Daniel, Davis of Sh'y, English, Ferguson of U., Fowler, Parks, Stanford, Vawter, Watt and Wooden—12.

So said bill was indefinitely postponed.

The bill to vacate a part of the town plat of the town of Centreville, in Wayne county, Indiana;

The bill for the relief of Thomas Speed and,

The bill to repeal an act entitled an act to raise additional revenue for the county of Ripley;

Were severally read the second time, and

Ordered to be engrossed and read a third time on to-morrow.

The bill to amend the act entitled "an act to regulate the mode of doing county business in the several counties in this State, approved January 19th, 1831;

Was read the second time.

Mr. Mitchell moved to extend its provisions to the county of Harrison;

Which motion passed in the affirmative.

On motion of Mr. Parks,

The provisions of said bill were extended to the county of Monroe.

Mr. Mastin moved that the provisions thereof be extended to the county of Hendricks, when

On motion of Mr. Henley,

Said bill was committed to a committee of the whole House for to-morrow.

An engrossed bill from the Senate to provide for dividing the the State into seven Congressional districts,

Was read the second time.

Mr. Bryant moved to commit said bill to a committee of the whole House for to-morrow;

Which motion was decided in the negative.

The Speaker announced the arrival of the hour for passing to bills on their third reading.

On motion of Mr. Crume,

Bills on their third reading were for the present postponed, and

The House continued the consideration of the engrossed bill from the Senate, to provide for dividing the State into seven congressional districts.

Mr. Steele moved to amend the bill so as to annex Huntington and Lagrange counties to the 7th instead of the 5th district, and by striking Cass county from the 6th district and attaching it to the 7th, so as to make the whole provisions of the bill correspondent with those of the bill of the House of the same title.

Mr. Bell moved, that the bill of the House dividing the State into congressional districts heretofore laid on the table, be taken up;

Which motion was decided in the negative.

A motion was made by Mr. Stanford to lay said engrossed bill of the Sentate on the table;

And decided in the negative.

The question recurred on the amendment proposed by Mr. Steele to said bill,

And being put,

It was decided in the negative.

Mr. Bryant moved to strike out "Fayette county" from the 5th district, and insert "Elkhart" in its place.

And the ayes and noes being requested thereon by two members.

*Those who voted in the affirmative are,*

Messrs. Bryant, Clark, Cox, Cravens, Cristler, Crume, Edwards, Hanna, Hannegan, Hargrove, Henley, Lewis, Mastin, Osborn, Parks, Pruett, Ribble, Sands, Schoonover and Wood-  
en—20.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Buell, Carter of M. & C. Claypool, Crawford, Culley, Daniel, Davenport, Davis of Sh'y, Dunn, English, Ferguson of C., Ferguson of U., Finch, Fowler, Hamilton, Heustis, Howell, Huntington, Lane, Levenworth, Livingston, Lowe, M'Junkin, M'Nary, Mitchell, Moore, Palmer, Parker, Payne, Peyton, Rariden, Reid, Ruddick, Shortridge, Skeen, Slaughter, Smith, Stanford, Steele, Vawter, Wallace, Watt, Woodruff and Davis, Speaker—49.

So said motion was decided in the negative.

Mr. Hannegan moved to amend said bill by striking "Cass county" from the 6th district, and attaching it to the 7th.

Mr. Hanna moved to amend said amendment so as to annex the counties of Miami and Wabash to the 7th district, instead of the 6th.

Mr. Lane called for a division of the question.

A motion was made by Mr. Daniel to lay said bill and proposed amendments on the table.

Which motion did not prevail.

And before the question was put on said proposed amendments, Mr. Bryant called for the previous question, which was seconded by two members;

And it was thereupon put to wit:

Shall the main question be now put!

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Clark, Claypool, Cravens, Culley, Davis of Sh'y, Dunn, Edwards, English, Ferguson, of C., Ferguson of U., Finch, Fowler, Hamilton, Henley, Heustis, Howell, Lane, Levenworth, Livingston, M'Nary, Mitchell, Moore, Palmer, Parker, Payne, Peyton, Rariden, Reid, Roop, Ruddick, Sands, Shortridge, Skeen, Slaughter, Smith, Wallace, Woodruff and Davis, Sp'k—45.

*And those who voted in the negative are,*

Messrs. Bonner, Cox, Crawford, Cristler, Crume, Daniel, Davenport, Hanna, Hannegan, Hargrove, Huntington, Lewis, Lowe, Mastin, M'Junkin, Osborn, Parks, Ribble, Schoonover, Stanford, Steele, Vawter, Watt and Wooden—24.]

So said previous question passed in the affirmative.

The said main question was then put, to wit:

Shall the bill pass to a third reading?

And was carried in the affirmative.

On motion of Mr. Henley,

The rules of the House were dispensed with and said bill was read the third time.

And on the question,

Shall the bill pass?

The ayes and noes being requested thereon, by two members.

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Bradley, Buell, Claypool, Cox, Cravens, Culley, Davis of Sh'y, Dunn, English, Ferguson of C., Ferguson of U., Finch, Fowler, Hamilton, Hargrove, Henley, Heustis, Howell, Huntington, Lane, Levenworth, Livingston, Lowe, M'Junkin, M'Nary, Mitchell, Moore, Palmer, Parker, Payne, Peyton, Pruett, Rariden, Reid, Ribble, Roop, Ruddick, Shortridge, Skeen, Slaughter, Smith, Wallace, Woodruff and Davis, Speaker—46.



*And those who voted in the negative are,*

Messrs. Bonner, Bradbury, Bryant, Carter of M. & C., Clark, Crawford, Cristler, Crume, Dainel, Davenport, Edwards, Hanna, Hannegan, Lewis, Mastin, Osborn, Parks, Sands, Schoonover, Stanford, Steele, Vawter, Watt, and Wooden—24.

So said bill passed.

*Ordered,* That the clerk inform the Senate thereof.

The House proceeded to consider bills on their third reading.

The engrossed bill from the Senate, to amend the act to authorize domestic attachments and regulating the proceedings thereon, approved Jan. 19, 1831.

Was read the third time and passed.

*Ordered,* That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

The engrossed bill for the better regulation of towns,

Was read the third time; when,

On motion of Mr. Lewis,

It was recommitted to the same select committee to which it was heretofore committed, with instructions to amend it by making the penalties therein prescribed, not less than "one," nor more than "three" dollars, instead of making the minimum fine "three" and the maximum "ten dollars," as provided in the bill.

The engrossed bill to more permanently establish the boundary line between the counties of Vermillion and Warren;

Was read the third time.

Mr. Buell moved to re-commit it to the same select committee to which it was before committed with instructions to amend the bill by making the southern line of Warren run west from the Wabash river, to the State line, on the line dividing townships 19 and 20 N., as said township line is defined in the survey, in range 9 west;

Which motion was decided in the negative.

And on the question,

Shall the bill pass?

It was carried in the affirmative.

*Ordered,* That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Bryant,

*Ordered,* That Mr. Pruett have leave of absence from the service of the House, until Wednesday next.

Mr. Parker, from the joint committee of enrolled bills, repor

ted that they had compared the enrolled with the engrossed bills, entitled:

An act to establish a certain State road therein named, and also,

A joint resolution relative to the public ferry at Indianapolis;

And find the same truly enrolled;

Whereupon,

The Speaker signed said bills and joint resolution.

Ordered, That the clerk carry them to the Senate for the signature of their President.

On motion of Mr. Bryant,

The bill to provide for appropriating the Wabash fund, heretofore laid on the table, was taken up, and committed to the same select committee to which was referred a resolution of the House, directing an enquiry into the history and condition of said fund.

And then the House adjourned until to-morrow morning 9 o'clock.

FRIDAY, JANUARY 4th, 1833.

The House met pursuant to adjournment.

On motion of Mr. Reid,

The petition of John Ryon and others, laid on the table on the 3d inst. praying that a part of the county of Franklin be attached to the county of Rush;

Was taken up and referred to a select committee of Messrs. Lowe, Reid, Smith and Roop.

Mr. Reid presented a remonstrance of Robert John and others, citizens of Franklin county, against the prayer of the above petitioners;

Which was read and referred to the same select committee.

On motion of Mr. Rariden,

The vote taken yesterday on the passage of the engrossed bill

to more permanently establish the boundary line between Vermillion and Warren counties, was reconsidered; and,

On motion of Mr. Buell,

Said bill was recommitted to a select committee of five members with instructions to amend it so as to fix the line between Vermillion and Warren counties, where it has heretofore been acknowledged to be by the common consent of both counties.

Ordered, That Messrs. Buell, Osborn, Skeen, Payne, and Boyd be that committee.

Mr. Moore presented a remonstrance of sundry citizens of New Albany, relative to the incorporation of said town,

Which was read and referred to the same select committee to which was referred a petition on the same subject.

Mr. M'Nary presented a petition of Tho's M. Thomposon and others, citizens of Putnam county, praying a change in the law with regart to congressional townships,

Which was read and referred to the same committtee of the whole House, to which was committed a bill on the same subject.

Mr. Huntington presented a petition of Wiatt Robins and others, citizens of Parke county, praying for the location of a State road from Rockville via Roseville, to Terre Haute;

Which was read and referred to the committee on roads.

On motion of Mr. Sands,

The petition of sundry persons, praying that a part of Owen county be attached to Putnam, presented by himself, and laid on the table on the 26th ult., was taken up and referred to a select committee of Messrs. Sands, Wooden and Mitchell.

Mr. Sands presented a petition of Nathan B. Garrett and others, praying an amendment to the law regulating grist mills and millers;

Which was read and referred to a select committee of Messrs. Sands, Stanford and Wallace.

Mr. Crawford presented a petition of Jesse Morgan praying the passage of an act to authorize him to build a toll bridge across Kankakee river at a certian point therein named, and a petition of Wm. Morgan to authorize the said Wm. to build a toll bridge across the same stream, at a certain point named in said petition; also, a petition of Isaac Morgan, praying authority to build a toll bridge acorss the Calamuck river at a certain point therein named;

Which were severally read and referred to a select committee of Messrs. Crawford, Finch, and Ribble.

Mr. Levenworth presented a petition of Ira Hoek and others,



praying the location of a State road from New Albany to Jasper, and a remonstrance of sundry persons against the same;

Which were read and laid on the table.

Mr. Woodruff presented a petition of Noah Denton and others, praying the location of a State road from Sparks' ferry, on White river to Indianapolis;

Which was read and referred to the committee on roads.

Mr. Bell presented a petition of Palmer Patrick and others, praying a review of part of the State road leading from Knightstown to Strawtown;

Which was read and referred to the same select committee to which was referred a petition on the same subject.

Mr. Bell presented a remonstrance of Huston Williams, William Judd and others, against a relocation of a State road from Henry county, via Pendleton to Noblesville;

Which was read, and laid on the table.

Mr. Hanna presented a petition of Samuel Henderson and others, trustees of the town of Indianapolis, praying that the proceeds arising from rents of the public ferry on White river opposite said town, be paid over to said trustees for the purpose of purchasing fire engines, apparatus, &c.;

Which was read and referred to the committee on the affairs of the town of Indianapolis.

Mr. Smith presented a petition of William K. Miller and others, praying the passage of special act to require the county commissioners of Rush county to cause the road to be opened argeecably to the report of Joseph Lowe (road commissioner) made in pursuance of an act entitled "an act to establish a State road from Napoleon in Ripley county, to Jehu Perkin's, in Rush county, and to locate a State road therein named;"

Which was read and referred to the committee on roads.

Mr. Lowe presented a petition of Levi Hatfield and others, on the same subject;

Which was read and referred to the same committee.

Mr. Skeen presented a petition of A. H. Reid and others, on the same subject.

Which was read and referred to the same committee.

Mr. Lane, from the committee on roads to which was referred several petitions of sundry citizens on that subject, reported a bill to locate a State road from Lebanon, in Boon county, to Prairieville, in Clinton county;

Which was read the first time and passed to a second reading.



Mr. Davenport, from the select committee to which was referred the petition of Cornelius Westfall and others, on that subject, reported a bill to authorize the proprietor of Thorntown, Boon county, to exchange certain lots therein named;

Which was three times read, (the rules of the House having first been dispensed with) and passed,

*Ordered*, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Mr. Hanna from the select committee to which was committed the engrossed memorial and joint resolution of the General Assembly of the State of Indiana soliciting Congress to appropriate land or money sufficient to improve the navigation of the Wabash and White rivers, from the Senate, reported the same with one amendment;

Which was read and agreed to by the House.

*Ordered*, That said amendment be engrossed and that the memorial and joint resolution be read a third time to-morrow.

Mr. Wooden from the select committee to which was referred a petition of James Wood and others on that subject, reported a bill to amend the act providing for the building a bridge across Rattlesnake creek in Owen county;

Which was read the first time and passed to a second reading.

Mr. Crawford from the select committee to which was referred the petition of William Latta and others on that subject, reported a bill to amend an act entitled an act for the location and opening a State road from Logansport via Turkey creek and Elkhart prairie to the northern line of the State in the direction of Pigeon prairie in the Michigan territory, approved December 29th, 1830;

Which was read the first time and passed to a second reading.

Mr. Fowler from the select committee to which was referred the petition of Elijah Craig, reported that said committee have had the same under consideration, and are of opinion that it is inexpedient to legislate on that subject;

Which was read and concurred in by the House.

A message from the Governor by Mr. Maguire his private secretary:

MR. SPEAKER:

I am instructed by His Excellency the Governor to inform the House of Representatives, that he did, on yesterday, approve

and sign bills of the following titles, which originated in the House of Representatives, viz:

An act changing the direction of a road from Judge Lowry's farm, to Paris, Illinois; and

An act to locate a State road from Greencastle in Putnam county to Carlisle in Sullivan county, by the way of Manhattan in Putnam county, and Bowlinggreen and New Brunswick in Clay county.

Mr. Bryant made the following report:

The select committee appointed by a resolution of this House to examine the situation and amount of the Wabash fund, and, how much of said fund was contributed by certain counties in this state, and how the same has been employed since it was created, have investigated the subject and directed me to report, that by an act approved December 31st, 1821, entitled an act authorizing the laying off certain state roads in this state and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund for opening said roads, the sum of two thousand nine hundred and two dollars and ninety-seven cents, was appropriated to certain roads in the counties of Knox, Sullivan, Vigo, Parke and Vermillion. That by an act approved January 31st, 1824, entitled an act for improving the navigation of the river Wabash, the Agent of the three per cent. fund was required to set off and denominate the Wabash fund, all that portion of the appropriation of one hundred thousand dollars, made in 1821, due to roads running within the territory of country composing the counties above named, by virtue of which act the sum above named of \$2,902 97, as appears by examining the books of the Agent, was set off from said counties as the Wabash fund. That by the authority of two acts of the legislature, passed in 1825, the first approved February 12, the second approved February 7th, it appears, by reference to the Agent's books, that the sum of \$187.11 cents were paid out of said Wabash fund to the county of Knox for certain purposes named in said act, and that the sum of \$147.34 were paid to Sullivan county, for the purpose of compensating individuals for damage sustained by them by the running of certain roads through their land, which sums deducted from said Wabash fund, leaves on hands of the fund, as taken from the counties aforesaid, the sum of

\$2,568 52

To which add, after deducting the Agent's commission, the sum of two thousand dollars appropriated in 1828

1,960 00

---

4,528 52

Which, with interest since it has been in the hands

of commissioner of the canal fund, being eight months making

188 12

Makes the whole amount of said fund

4,646 64

And the amount taken from the counties

\$2,671 24

On motion of Mr. Cravens,

Leave was given to the select committee appointed to examine the office of the Agent of the 3 per cent. fund, to be absent during the sessions of the House, in discharging their duties as such committee.

Mr. Bryant from the select committee to which was committed the bill to provide for appropriating the Wabash fund, reported the same with one amendment;

Which was read and concurred in by the House.

Mr. Rariden moved to commit the same to a committee of the whole House for to-morrow.

Mr. Daniel moved to lay said bill on the table.

Before the question was put thereon,

The House adjourned until 2 o'clock, P. M.

*2 o'clock P. M.*

The House met pursuant to adjournment,

And resumed the consideration of the bill to provide for appropriating the Wabash fund.

The question was put on the motion of Mr. Daniel to lay on the table,

And passed in the affirmative.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate has passed the following bills, entitled "acts," as follows, to wit:

An act to establish the county line between the counties of Madison, Hancock and Henry;

An act to amend an act entitled an act to prevent useless and expensive applications to the General Assembly relating to State roads, approved February 3, 1832; and

An act to repeal a part of the act regulating the fees and salaries of the several officers and persons therein named.



In which bills the concurrence of the House of Representatives is requested.

The bills named in said message were severally read the first time and passed to a second reading.

On motion of Mr. Bell,

The several orders of the day which precede the bill for the establishment of a State Bank, were for the present postponed.

The House then again resolved itself into a committee of the whole on said bill; and after some time spent therein, the Speaker resumed the chair, and Mr. Bell reported progress and asked leave to sit again.

Which leave was granted by the House.

And then the House adjourned until to-morrow morning at 9 o'clock.

## SATURDAY, JANUARY 5th, 1833.

The House met pursuant to adjournment.

The following message was received on yesterday from the Senate, by Mr. Farnham their Secretary:

MR. SPEAKER,

The Senate has passed a preamble and joint resolutions, relative to the proceedings of a late Convention of South Carolina, and to the President's Proclamation, in relation thereto, in which the concurrence of this House is requested.

The preamble and joint resolution named in said message was three times read (the rules of the House having first been dispensed with) and passed by unanimous consent.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Bell presented a petition of Joseph B. Sharp and others, citizens of Madison county, praying for the location of a State road from Andersonstown to Logansport;

Which was read and referred to a select committee of Messrs. Bell, Ribble and Shortridge.

Mr. Davis of Shelby presented two petitions of sundry citizens of Shelby county, severally praying the establishment of a State Bank and Branches;

Which were read and laid on the table.



Mr. Bryant from the joint committee on enrolled bills reported, that they did, on yesterday, present to the Governor for his approval and signature—

A joint resolution relative to the public ferry at Indianapolis; and

An act to establish a certain State road therein named.

Mr. Wooden made the following report, which was read and concurred in by the House:

The select committee to which was referred the petition of sundry citizens of Putnam and Owen counties, praying to have a portion of said Owen county attached to Putnam, have had the same under consideration and report it inexpedient to legislate upon the same.

Mr. Moore made the following report:

The select committee to which was referred the petition and remonstrance of sundry citizens of New Albany, on the subject of the incorporation of said town, have had the same under consideration, and report, that in their opinion it is not expedient to legislate on the same, at this time; therefore ask to be discharged;

Which was read and concurred in by the House.

Mr. Moore asked leave to withdraw said petition and remonstrance;

Which was accordingly done.

Mr. Hanna asked and obtained leave to withdraw the petition of John Stevens and accompanying documents;

And they were accordingly withdrawn.

Mr. Buell from the select committee to which was recommit-  
ted the engrossed bill, to more permanently establish the line dividing the counties of Vermillion and Warren, reported the same without amendment.

The said bill was then read the third time and passed.

*Ordered*, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

Mr. Parker moved the following resolution:

*Resolved*, That the House will adjourn *sine die*, on the 19th inst., the Senate concurring therein.

Which was read; when

Mr. Lewis moved to lay the same on the table—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Boll, Bonner, Boyd, Bradbury, Bradley, Carter of M. & C., Claypool, Cox, Cravens, Culley, Daniel, Dunn, Edwards, Ferguson of C., Fowler, Hanna, Howell, Huntington, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Junkin, Mitchell, Moore, Osborn, Peyton, Proffit, Rariden, Reid, Roop, Ruddick, Shortridge, Smith, Steele and Wallace—37.

*And those who voted in the negative are,*

Messrs. Bryant, Buell, Carter of O., Clark, Crume, Davenport, Davis of Sh'y, English, Ferguson of U., Finch, Hamilton, Henley, Heustis, Lane, Palmer, Parker, Parks, Payne, Ribble, Sands, Schoonover, Skeen, Vawter Watt, Wooden, Woodruff and Davis, Speaker—27.

So said resolution was laid on the table.

Mr. Shortridge moved the following resolution:

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of so amending the law providing for the appointment of county surveyors, approved February the 4th, 1831, as to require the county surveyors of the several counties in this state, hereafter to be elected by the qualified electors, at their annual election on the first Monday of August, and to limit the time of holding said office to three years, and to require a certificate from the Circuit Court of his county, certifying his competency to discharge the duties of that office, to make any person eligible to be a candidate for said office; to report by bill or otherwise.

Which was read; and

On the question to adopt the same,

It was decided in the negative.

Mr. Sands moved the following resolution:

*Resolved*, That the committee of elections be instructed to enquire into the expediency of so amending the act regulating the mode of doing county business, as to confine the election of county commissioners to the districts in which they live respectively;

Which was read, and

On the question to adopt the same,

It was decided in the negative.

Mr. Proffit moved the following preamble and resolution:

WHEREAS the fund appropriated in the year 1824, towards clearing out obstructions in the Wabash river, being contrary to the compact admitting this State into the Union:

*Resolved* That the judiciary committee be instructed to enquire into the expediency of repealing so much of those acts as makes the appropriation, and also into the expediency of appropriating said amount to aid in the construction of the Wabash and Erie canal.

On motion of Mr. Shortridge,  
The same was amended by insertin after "1824" "and 1828."

Mr. Bryant moved furier to amend the same, by adding thereto the following: "except so much of said fund as was appropriated by certain counties."

Mr. Daniel moyed to amend said amendment, by directing the application of the fund to the Evansville and Terre-Haute road, instead of the Wabash and Erie canal;

Which motion was decided in the negative.

The question recurred on the amendment proposed by Mr. Bryant,  
And was carried in the affirmative.

On the question to adopt said resolution as amended,  
It passed in the affirmative.

On motion of Mr. Cravens,

*Resolved*, That a select committee of one member from each Congressional District be appointed, with instructions to enquire whether there is any mode provided by existins laws, to ensure a representation of this State, in the Representative branch of our National Legislature, in the event of a Convention of Congress, between the fourth of March and the first Monday in August next; and if no such mode be provided by existing laws, to prepare and report a bill to supply such defect.

On motion of Mr. English,

*Resolved*, That the committee of ways and means be instructed to enquire into the expediency of changing the law regulating the poor, so as to make it the duty of the overseer in each township, wherein any person shall become a county charge, to advertise the same in the usual way of advertising, so as to make it the duty of the same to dispose of all paupers by receiving bids in writing; and amend the law, so as to have but one overseer in each township, and report.

Mr. Ruddick after having obtained leave, presented a bill to locate a State road from James Mar's in Bartholomew county, to Joab Woodruff's in Johnson county;

Which was read the first time and passed to a second reading.

Mr. Wooden after having obtained leave presented a bill providing for constructing a bridge over Mill creek, in Owen county; Which was read the first time and passed to a second reading.

Mr. Shortridge after having obtained leave presented a bill to incorporate the Liberty School Society:

Which was read the first time and passed to a second reading.

Mr. Rariden, after having obtained, leave presented a bill to amend an act entitled an act relative to county seminaries;

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day.

On motion of Mr. Rariden,

The several orders of the day which precede the bill for the establishment of a State bank were for the present postponed; and,

The House again resolved itself into a committee of the whole on said bill; and after some time spent thereon, the speaker resumed the chair, and Mr. Rariden reported progress and asked leave to sit again;

Which leave was granted by the House.

And then the House adjourned until Monday morning 9 o'clock.

MONDAY, JANUARY 7th, 1833.

The House met pursuant to adjournment.

The Speaker appointed Messrs. Cravens, Buell, Hargrove, Wallace, Reid, Rariden, and Hanna, a committee in pursuance of the resolution moved Mr. Cravens, and adopted by the House on Saturday last, to provide for the contingency of a special session of Congress, between the 4th of March and 1st Monday in August.



The following message was received on Saturday last, from the Senate, by Mr. Morris, their Assistant Secretary:

MR SPEAKER,

The Senate has passed an engrossed bill entitled "an act to repeal an act to locate a State road from New Albany to Lexington, approved Feb. 2d, 1832, in which the concurrence of the House of Representatives is requested.

The bill named in said message was read the first time and passed to a second reading.

Mr. Howell presented a petition of John A. Brackenridge and others, praying the passage of an act for a called session of the circuit court of Spencer county, or to provide for a change of venue in a certain case therein named;

Which was read and referred to the committee on the judiciary.

Mr. Crawford presented a petition of Jacob Studybaker, Thomas Thomas, and others, praying that said Studybaker and Thomas be authorized to build a mill dam across the Elkhart river;

Which was read and laid on the table.

Mr. Steele presented a petition of Lott Bloomfield and others, citizens of Wayne county, praying the establishment of a State Bank and branches;

Which was read and committed to the same committee of the whole House to which was committed a bill on the same subject.

Mr. Palmer made the following report:

The committee of ways and means to which was referred a resolution of this House directing an enquiry into the expediency of amending the revenue law, so as to require the duties now performed by the county collector to be done by the county treasurer, and of doing away the necessity of a personal demand of taxes—and of requiring the treasurer to attend a limited time in each township, and afterwards at his office at the county seat to receive such taxes; have had the subject under consideration, and have instructed me to report that it is inexpedient to legislate on that subject. The committee therefore ask to be discharged from the further consideration of the said resolution.

Which was read and concurred in by the House.

Mr. Palmer from the same committee made the following report:

The committee of ways and means to which was referred a re-

solution of this House, directing an enquiry into the "expediency of changing the law regulating the poor, so as to make it the duty of the overseer in each township, when any person shall become a county charge to advertise the same, in the usual way of advertising, so as to make it the duty of the same to dispose of all paupers, by receiving bids in writing—and of amending the law so as to have but one overseer in each township," have had the matter under their consideration and have instructed me to report, that it is inexpedient to legislate on that subject. The committee therefore ask to be discharged from the further consideration of the resolution;

Which was read and concurred in by the House.

Mr. Moore from the committee on the judiciary to which was referred a resolution on that subject, reported a bill to amend the act entitled "an act regulating the action of replevin;

Which was read the first time and passed to a second reading.

Mr. Lane made the following report:

The committee on road to which was referred a petition of sundry citizens of Madison, Hamilton and Marion, praying for a change in the State road leading from Indianapolis to the Falls of Fall creek—and also, a remonstrance against such change have had the same under consideration, and have directed me to report that, in the opinion of the committee, it is inexpedient to legislate on that subject;

Which was read, and concurred in by the House.

Mr. Sands from the committee on roads to which was referred a petition of sundry citizens of Parke county on that subject, reported a bill to locate a State road from Rockville in Parke county, by the way of Roseville to Terre Haute in Vigo county;

Which was read the first time.

Mr. Bryant moved to reject the same;

Which motion did not prevail.

It was then,

*Ordered*, That said bill do pass to a second reading.

Mr. Lane made the following report:

The committee on roads to which was referred a petition and remonstrance of sundry citizens of Hendricks county on the subject of changing the State road leading from Mooresville by the way of Danville to Crawfordsville, have had the same under consideration, and have directed me to report that it is inexpedient to legislate on that subject;

Which was read and concurred in by the House.

Mr. Smith made the following report:

The select committee to which was referred the petition of

Jacob Misner of the county of Rush, have had the same under their consideration, and are clearly of the opinion, that the acts of Congress, providing provisions for revolutionary soldiers, and others, engaged in the Indian wars, are amply sufficient to meet the objects prayed for in said petition, and that it is unnecessary to legislate on this subject at this time, and ask to be discharged from any further consideration of said petition.

Which was read and concurred in by the House.

Mr. Parks, from the select committee to which was referred the petition of John Smith and others, on that subject, reported a bill to revive an act entitled "an act for the relief of certain purchasers in the reserved township in Monroe county" approved January 16th, 1832;

Which was read the first time and passed to a second reading.

Mr. Sands, from the select committee to which was referred a petition of sundry citizens of Putnam county on that subject, reported a bill to amend an act entitled "an act regulating grist mills and millers;"

Which was read the first time and passed to a second reading.

Mr. Reid made the following report:

The select committee to which was referred the petition of John Ryon and others, praying that a part on the county of Franklin be attached to the county of Rush, and also the remonstrance of Robert John and others, have had the same under consideration and have directed me to report that it is inexpedient to grant the prayer of the petitioners, and the committee ask to be discharged from the further consideration of the subject;

Which was read and concurred in by the House.

Mr. Dunn, from the select committee to which was referred a petition of Wm. Goodrich and others, and sundry resolutions relating to the Michigan road, reported a bill supplemental to an act entitled "an act to provide for selling the Michigan road lands, to open that part of the Michigan road between Logansport and Lake Michigan and for other purposes, approved Feb. 3d, 1832;

Which was read the first time and passed to a second reading.

Mr. Vawter, from the select committee to which was committed the engrossed bill for the better regulation of towns, reported the same with two amendments;

Which were read, and concurred in by the House.

*Ordered*, That said bill be engrossed and read a third time on to-morrow.

A message from the Senate by Mr. Morris their Assistant Secretary:

MR. SPEAKER,

The Senate has passed the following engrossed bills of the House entitled acts, to wit:

An act organizing the eighth judicial circuit and fixing the times of holding courts therein;

An act for the relief of John Conner;

An act authorizing the proprietor of Thorntown, Boone county, to exchange certain lots therein named;

The first with, and the two latter without amendment.

The Senate has also passed engrossed bills of the Senate, entitled acts, as follows, to wit:

An act to provide for the indemnification of persons through whose lands roads are, or may be located;

An act supplemental to an act to authorize the agent of State for the town of Indianapolis to lay off the land belonging to the State, into lots and to offer the same for sale, approved February 9th, 1833;

And act to locate a State road from Salem via Middletown, to Orleans in Orange county;

An act to declare the post road passing Allensville, in Switzerland county a State road;

An act to locate a State road from Greensburgh by way of Hartsville to Columbus; and,

An act to establish a State road from the Ohio line in Union county to Richmond, in Wayne county;

In which bills of the Senate, and the amendment proposed to the bill of the House, the concurrence of the House of Representatives is requested.

The amendment of the Senate proposed to the bill of the House first named, in said message, was read and agreed to by the House.

Ordered, That the clerk inform the Senate thereof.

The engrossed bills of the Senate, named in the message, were severally read the first time and passed to a second reading.

A message from the Governor by Mr. Maguire his private secretary:



MR. SPEAKER:

The Governor has approved and signed a bill entitled:

An act to establish a certain State road therein named, and also,

A joint resolution relative to the public ferry at Indianapolis;

Both of which originated in the House of Representatives.

On motion of Mr. Vawter,

The resolution moved by himself and laid on the table on the 28th ult, relative to a withdrawal of certain papers accompanying the petition of John Boner, was taken up;

And on the question to adopt the same,

It passed in the affirmative.

Mr. Steele moved the following resolution:

*Resolved*, That the committee on military affairs be instructed to enquire into the expediency of giving the Adjutant General of this State, an increase of pay for services;

Which was read, and

On the question to adopt the same,

It was decided in the negative.

Mr. Mitchell moved to take up a resolution offered by Mr. Carter of O., and laid on the table on the 27th ultimo, relative to a reduction of taxes;

Which motion was decided in the negative.

Mr. Mitchell moved to take up a resolution moved by himself and laid on the table on the 4th ult. on the subject of a distribution of the journals of this House,

Which motion was decided in the negative.

On motion of Mr. Ferguson of C.,

The several orders of the day which precede the bill for the establishment of a State bank, were for the present postponed; and,

The House again resolved itself into a committee of the whole on said bill, and after some time spent therein, the Speaker resumed the chair and Mr. Ferguson of C., reported progress, and asked leave to sit again.

Which leave was granted by the House.

Mr. Parker, from the joint committee of enrolled bills, reported that they had compared the enrolled with the engrossed bills, entitled:

An act to amend the act, entitled an act authorising domestic

attachment and regulating the proceedings thereon," approved Jan. 19th, 1831;

An act to provide for dividing the State into seven congressional districts; and

An act organizing the 8th judicial circuit, and fixing the times of holding courts therein;

And find the same truly enrolled;

Whereupon,

The Speaker signed said bills.

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

And then the House adjourned until 2 o'clock, P.M.

2 o'clock, P. M.

The House met pursuant to adjournment,

Mr. Bell moved to suspend the previous orders of the day and that the House do now consider the bill appropriating a part of 3 per cent. fund, and for other purposes;

Which motion did not prevail.

Mr. English, after having obtained leave, presented a bill to authorize and require the seminary trustee of the county of Scott, and the treasurer of the library of said county, to loan certain monies within their control;

Which was read the first time and passed to a second reading.

Mr. Crawford, after having obtained leave, presented a bill to permit Jacob Studybaker and Thomas Thomas, to keep their mill in operation on the Elkhart river;

Which was read the first time and passed to a second reading.

On motion of Mr. Lane,

The several orders of the day which precede the bill for the establishment of a State bank, were for the present postponed; and,

The House again resolved itself into committee of the whole on said bill, and after some time spent therein, the Speaker

resumed the chair, and Mr. Wallace reported the same with sundry amendments, and before any question was taken thereon,

The House adjourned until to-morrow morning at 9 o'clock.

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TUESDAY, JANUARY 8th, 1833.

The House met pursuant to adjournment.

The following message was received on yesterday, from the Senate by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

I am instructed by the Senate, to inform the House of Representatives, that they have passed an engrossed bill, entitled,

An act to locate and establish a State road from South Bend, in St. Joseph county, via mouth of Elkhart and the seat of justice of Lagrange county, to the east line of Ohio, in the direction of Vistula on Maumee Bay, in the State of Ohio; and

An engrossed bill entitled an act to appropriate part of the 3 per cent. fund;

In which the concurrence of the House of Representatives is requested.

The bill first named in said message was read the first time and passed to a second reading.

The bill last named in said message, was twice read (the rules of the House having first been dispensed with) and

On motion of Mr. Schoonover,

Committed to a committee of the whole House for to-morrow.

The Speaker laid before the House, a communication from John H. Farnham, Secretary of a meeting of citizens, requesting in behalf of those citizens, the use of the Hall of the House of Representatives for the purpose of celebrating the anniversary of the battle of New Orleans;

Which was read and laid on the table.

Mr. Parker, from the joint committee on enrolled bills reported

that they did on yesterday, present to the Governor for his approval and signature, bills of the following titles, to wit:

An act to amend the act entitled an act authorizing domestic attachment and regulating the proceedings thereon, approved January 19th, 1831;

An act to provide for dividing the State into seven congressional districts, and,

An act organizing the 8th judicial circuit, and fixing the times of holding courts therein.

A message from the Governor, by Mr. Maguire, his private Secretary:

MR. SPEAKER,

His Excellency, the Governor did, on yesterday, approve and sign a bill, which originated in the House of Representatives, entitled:

"An act organizing the eighth judicial circuit, and fixing the times of holding courts therein."

Mr. Schoonover presented a petition of James C. Kelso and others, praying a relocation of the State road leading from Orleans, via Livonia to Greenville;

Which was read and referred to the committee on roads.

Mr. Buell presented a petition of Daniel Mace and others, praying for the location of a State road from the town of Lagrange to section 31, in township No. 23, range 6 west, thence west, until it strikes the road leading from Williamsport to Chicago;

Which was read and referred to the committee on roads.

Mr. Livingston presented a petition of John S. Fossett and others praying that a part of the State road leading from Wood's ferry, in Lawrence county to Spencer in Owen county be vacated; also, a petition of William Burton and others praying for the location of a State road from John R. Cook's in Lawrence county to Mark Trublood's, in said county;

Which were severally read and referred to the committee on roads.

Mr. Shortridge presented three remonstrances of sundry citizens of Tippecanoe county, severally remonstrating against giving any of the territory of said county, for the purpose of forming a new county or any change whatever in the bounds of said county;

Which were read and referred to the same select committee to which was referred a petition of sundry persons, praying for the formation of a new county out of Tippecanoe and other counties therein named.



Mr. Finch presented a petition of M. Gray and others, citizens of the attached part of Carroll county, praying the formation of a new county north of Tippecanoe and west of Carroll counties.

Which was read and referred to a select committee of Messrs. Finch, Buell and Ribble.

Mr. Ferguson of C. presented a remonstrance of Henry Coble and others, citizens of Clark county, against a State road from New-Albany to Lexington;

Which was read, and laid on the table.

Mr. Parker presented a remonstrance of Thomas Mitchell and others, citizens of Clark county, on the same subject;

Which was read and laid on the table.

Mr. Parker presented a petition of A. T. Greene and others, citizens of Charlestown, praying the passage of a law appointing a town supervisor for said town, and that the hands therein be only compelled to work the streets and alleys thereof;

Which was read and referred to the committee on roads.

Mr. Cravens presented a petition of H. Watts and others, trustees of the town of Madison, praying an amendment to the act incorporating said town;

Which was read and referred to a select committee of Messrs. Cravens. Palmer and Moore.

Mr. Parker from the joint committee of enrolled bills reported, that they had compared the enrolled with engrossed preamble and joint resolutions, viz:

A preamble and joint resolutions relative to the proceedings of a late Convention of South Carolina and to the President's Proclamation in relation thereto; also,

An act to authorize the proprietor of Thorntown Boon county to exchange certain lots therein named; and

An act for the relief of John Conner;

And find the same truly enrolled:

Whereupon,

The Speaker signed said bills and joint resolutions.

Ordered, That the clerk carry the same to the Senate for the signature of their President.

Mr. Dunn from the select committee on the Michigan road to which was referred a resolution requesting said committee to enquire into the propriety of allowing Nathan Johnson and Nathaniel Teal a reasonable sum for extra work done on each end of the bridge over Blue river on said road, reported that they have had the same under consideration, and are of opinion that the present law gives the commissioner on said road sufficient discretion:

powers to make any necessary improvements and allowances for the same; therefore deem it inexpedient to legislate on that subject;

Which was read and concurred in by the House.

Mr. Dunn from the same select committee to which was referred a resolution directing said committee to enquire whether the appropriations made at the last session for the improvement of said road have been judiciously and properly applied, and what amendments, if any, are necessary to the existing law on that subject, made the following report:

That they have had the subjects referred under consideration, and have directed me to report, that nothing has come to the knowledge of the committee from which they can decide that the appropriation heretofore made has not been as judiciously and properly applied, as the shortness of time allowed the commissioner for examining the road and letting out the contracts, and the want of the necessary information (only to be acquired by experience) would permit; and that, in the estimation of the committee, the present law is sufficient to ensure a fruitful application of the funds appropriated to the improvement of the road. It is therefore asked, that the committee be discharged from the further consideration of that subject;

Whereupon,

Said committee was discharged accordingly.

Mr. Vawter moved the following resolution:

*Resolved*, That this House, the Senate concurring, will on Thursday next, at 2 o'clock, P. M. proceed to elect a Circuit Judge for the 8th Judicial Circuit, and an Attorney to prosecute the pleas within the said judicial circuit; that the Senate be requested to reciprocate this resolution, and informed that seats are provided for the members of the Senate, on the right of the Speaker's chair—that has been appointed teller on the part of this House.

Mr. Henley moved to amend said resolution, by striking out "2" and inserting in lieu thereof "6;"

Which motion did not prevail.

Mr. Livingston moved so to amend the same as to go into the election "instantly;"

Which motion was decided in the negative.

Mr. Lane moved to insert after the words "judicial circuit," "and also of a board of canal commissioners;"

Which motion passed, in the affirmative.

Mr. Hargrove moved further to amend the same, by striking out "Thursday next" and inserting in lieu thereof "to-morrow;"

Which motion was carried in the affirmative.

And on the question to adopt said resolution, as amended,  
It passed in the affirmative.

Whereupon,

The Speaker appointed Mr. Moore teller, on the part of the House.

*Ordered*, That the clerk inform the Senate thereof.

On motion of Mr. Henley,

*Resolved*, That the committee on the affairs of the State prison be directed to enquire into the propriety of repealing so much of the act for the regulation of the State prison, as requires that the visitor to the State prison shall not reside in the vicinity of Jeffersonville.

Mr. Stanford, after having obtained leave, presented a bill to enable feme covert, under 21 years of age, to join with their husbands to convey real estate;

Which was read the first time and passed to a second reading.

Mr. Wallace, after having obtained leave, presented a bill to establish a State road from Mount Pleasant in Martin county to Springville in Lawrence county;

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day, and resumed the consideration of the bill for the establishment of a State Bank.

Mr. Rariden moved to recommit said bill to a select committee with the following instructions, to wit: "So to apportion the State capital in each bank, as to make it equal to the amount that the citizens of each bank district are responsible for by taxation, in case the same be lost or wasted, and also to incorporate the amendments made in the committee of the whole."

Mr. Steele moved to amend said instructions, by directing said committee to re-incorporate into said bill, the 51st section, which was stricken out in committee of the whole; which section provides that the stock of said bank shall not be taxed.

Mr. Cravens called for a division of the question; and

On the question shall said bill be committed—

The ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Bradbury, Crawford, Crume, Edwards, Ferguson of U., Hamilton, Henley, Howell, Lane, Leavenworth, Lewis,

Lowe, Mitchell, Payne, Peyton, Rariden, Reid, Ribble, Sands, Smith, Stanford, Steele and Woodruff—24.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradley, Bryant, Buell, Carter of M. & C., Clark, Cox, Cravens, Culley, Davenport, Davis of Sh'y, Dunn, English, Ferguson of C., Finch, Fowler, Hanna, Hargrove, Heustis, Huntington, Livingston, Mastin, M'Junkin, M'Nary, Moore, Osborn, Palmer, Parker, Parks, Roop, Ruddick, Shortridge, Skeen, Vawter, Wallace, Watt, Wooden, and Davis, Speaker—39.

So said motion to commit was decided in the negative.

Mr. Cravens moved that the House do now adjourn until to-morrow morning at 9 o'clock—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bryant, Carter of M. & C., Cox, Cravens, Crawford, Culley, Daniel, Davenport, Dunn, Ferguson of C., Finch, Heustis, Howell, Huntington, Lane, Livingston, Mastin, Mitchell, Moore, Osborn, Payne, Proffit, Rariden, Reid, Roop, Sands, Skeen, Steele, Vawter, Wallace and Davis, Speaker—32.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bradbury, Bradley, Buell, Clark, Crume, Davis of Sh'y, Edwards, English, Ferguson of U., Fowler, Hamilton, Hanna, Hargrove, Henley, Levenworth, Lewis, Lowe, M'Junkin, M'Nary, Palmer, Parks, Peyton, Ribble, Ruddick, Shortridge, Smith, Stanford, Watt, Wooden and Woodruff—32.

So the House did not adjourn.

Mr. Finch moved that the House adjourn until to-morrow morning at 8 o'clock—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bryant, Carter of M. & C., Claypool, Cox, Cravens, Crawford, Culley, Daniel, Davenport, Dunn, Ferguson, of C., Finch, Heustis, Howell, Huntington, Lane, Livingston, Mas-



tin, Mitchell, Osborn, Reid, Roop, Sands, Smith and Steele  
—26.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bradbury, Bradley, Buell, Clark, Crume, Davis of Sh'y, Edwards, English, Ferguson of U., Fowler, Hamilton, Hanna, Hargrove, Henley, Levenworth, Lewis, Lowe, M'Junkin, Moore, Palmer, Parker, Parks, Payne, Peyton, Proffit, Ribble, Ruddick, Shortridge, Skeen, Stanford, Vawter, Wallace, Watt, Woodruff and Davis, Speaker.—37.

So the House did not adjourn.

On motion of Mr. Dunn,

The further consideration of the said bill for the establishment of a State Bank was for this day suspended, and the House proceeded to consider business next in order.

The engrossed bill from the Senate to amend an act entitled "an act regulating the jurisdiction and duties of justices of the peace," approved February 10, 1831, was read the second time and committed to a committee of the whole House for to-morrow.

On motion of Mr. Palmer,

Sundry bills heretofore laid on the table, regulating the practice in the circuit and inferior courts, were taken up and committed to the same committee of the whole last named.

The joint memorial on the subject of a treaty with the Miami nation was read the second and third times (the rules of the House having first been dispensed with) and passed.

*Ordered,* That the Clerk inform the Senate thereof and ask their concurrence.

The bill to amend an act entitled "an act for the relief of John Boner of Jennings county," approved January 26, 1832, was read the second time.

Mr. Ruddick moved to amend the same by reducing the allowance therein made to said Boner from \$200 to \$150.

Pending the question thereon,

The House adjourned until to-morrow morning at nine o'clock.

WEDNESDAY, JANUARY 9th, 1833.

The House met pursuant to adjournment.

The Speaker laid before the House a communication from William S. Jones, covering charges against Joseph M'Kinney, clerk of the Bartholomew Circuit Court, verified by affidavit;

Which was read and referred to the committee on the judiciary.

Mr. Crawford presented a petition of Lewis Davis and others, citizens of Elkhart county, praying for the location of a State road from Fort Wayne to the mouth of the Great St. Joseph river;

Which was read and referred to a select committee of Messrs. Crawford, Claypool and Shortridge.

Mr. Crawford presented a petition of John Campton and others, citizens of St. Joseph, Elkhart and Lagrange counties, praying the location of a State road from South Bend to the State line, in a direction to Vistula on the Maumee Bay;

Which was read and laid on the table.

Mr. Claypool presented a petition of J. C. Smith and others, citizens of Parke, Fountain and Tippecanoe counties, praying the location of a State road from Rockville via Newtown to Lafayette;

Which was read and referred to a select committee of Messrs. Claypool, Finch and Bryant.

Mr. Livingston presented a petition of James Chess, praying relief, with an accompanying document;

Which was read and referred to the committee on claims.

Mr. Davenport presented a petition of John M. Bay, Hiram M. M'Quitty, Austin Davenport, Edward Jackson, George Walker, Thomas Jackson and William Lane, administrator, guardians and heirs of Jesse Lane, late of Boon county, deceased, praying for certain relief therein named;

Which was read and referred to the committee on the judiciary.

Mr. Davenport presented a petition of George Walker and others, citizens of Boon and Hamilton counties, praying the location of a State road from Lebanon via Uniontown, to intersect the State road leading from Noblesville to Crawfordsville;

Which was read and referred to the committee on roads.

Mr. Hanna presented a petition of Adam Wright and others, praying a relocation of part of the State road leading from the National Road to Lafayette;

Which was read and referred to the committee on roads.

Mr. Rariden made the following report:

The committee on education to whom was referred, a petition of sundry students of the Bloomington College, praying exemptions from working on roads, have had that subject under consideration, and directed me to report, that in the opinion of your committee the prayer of the petitioners ought not to be granted, and request to be discharged from the further consideration of that subject;

Whereupon,

Said committee was discharged accordingly.

Mr. Rariden from the committee on education to which was referred, the petition of James Tiller, reported a bill for the relief of the petitioner;

Which was read the first time and passed to a second reading.

Mr. Reid from the select committee to which was referred, the petition of John Barber and others on that subject, reported a bill to incorporate the Harrison and Indianapolis turnpike company;

Which was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed and read the third time on to-morrow.

Mr. Shortridge made the following report:

The select committee to whom was referred the petition of Moses Rush and others, praying for the formation of a county, out of part of the Territory of Tippecanoe county, and part of the Territory attached to the county of Carroll, which lies north of Tippecanoe county, together with the remonstrance of sundry citizens of Tippecanoe county, against the taking off any portion of said county, have had the same under consideration and, find that the number of remonstrances greatly exceed the number of petitioners, and that to grant the prayer of the petitioners, would take off a large scope of the Territory from the county of Tippecanoe, approaching within four miles of the county seat, therefore the committee have directed me to report that it is inexpedient to grant the prayer of the petitioners, and ask to be discharged from the further consideration of the subject;

Whereupon,

Said committee was discharged accordingly.

Mr. Crume, from the select committee to which was re-committed the report of the committee of ways and means, made in pursuance of a resolution on that subject, reported a bill to provide for the election of a county treasurer;

Which was read the first time and passed to a second reading.

Mr. Schoonover, from the select committee to which was re-committee the memorial and joint resolution on military affairs, reported the same with an amendment;  
Which was read; and

On motion of Mr. Hanna,  
Said amendment, was amended, by striking out the memorial from the first clause and inserting in lieu thereof the following:

“Your memorialists, would represent, that in the opinion of this General Assembly, a uniform law, for the organization and government of the militia of the United States, is necessary to give efficiency to that species of military force, on which we rely for national safety, in time of war, and that uniformity cannot be attained by State legislation. The Constitution of the United States has vested in Congress, the power to organize, arm and disciplin the militia of the United States. We, therefore, respectfully request your co-operation with the Executive of the United States, in giving us an uniform law for the organization of the militia; therefore,

*Resolved*, By the General Assembly of the State of Indiana, that, in the opinion of this General Assemby, the militia of the United States may be rendered more effective by reducing the enrolment thereof, so as to embrace those only, who are between age of twenty-one and thirty-five years, and by raising the appropriation to arm the militia, to four hundred thousand dollars a year.”

Said amendment, as amended, was then agreed to by the House, and,

*Ordered*, That the same be engrossed and read a time on to-morrow.

Mr. Wooden, from the select committee to which was referred resolutions and other documents on that subject, reported a preamble and joint resolution, in relation to horses lost by the volunteer militia of Indiana;

Which was read the first time and passed to a second reading.

Mr. Bryant, from the judiciary committee to which was referred sundry resolutions on that subject, after having obtained leave, reported a bill changing the times of holding the circuit courts in the 1st, 2d, 4th, 5th, and 6th, judicial circuits;

Which was read the first time and passed to a second reading.

Mr. Wooden, from the committee on military affairs, to which was referred sundry resolutions, on that subject, after



having obtained leave reported a bill to amend an act entitled "an act to organize and regulate the militia of the State of Indiana, approved Feb. 10th 1831;

Which was read the first time and passed to a second reading.

Mr. Bryant from the joint committee on enrolled bills reported, that they did, on this day, present to the Governor for his approval and signature—

A preamble and joint resolutions relative to the proceedings of a late Convention of South Carolina and to the President's Proclamation in relation thereto; also,

An act to authorize the proprietor of Thorntown Boon county to exchange certain lots therein named; and

An act for the relief of John Conner.

Mr. Dunn, after having obtained leave, presented a bill to amend an act entitled an act to incorporate the Lawrenceburgh and Indianapolis rail road company;

Which was read the first time and passed to a second reading.

Mr. Boyd, after having leave, presented a bill for the location of a State road Fairplay, so as to intersect the Vincennes State road near Benjamin Stafford's;

Which was read the first time and passed to a second reading.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

I am instructed by the Senate, to inform the House of Representatives, that they reciprocate so much of the resolution of the House, as relates to the election of a president judge and prosecuting attorney of the 8th judicial circuit.

Mr. Pennington has been appointed teller on the part of the Senate.

Mr. Buell, after having obtained leave, presented a bill to amend the act antitled "an act for assessing and collecting the revenue," approved Feb. 10th, 1831;

Which was read the first time.

Mr. M'Nary moved to reject said bill;

Which motion was decided in the negative.

Ordered, That said bill do pass to a second reading.

Mr. Boyd, after having obtained leave, presented a bill supplemental to an act entitled an act to incorporate the Green county Seminary, approved January 24th, 1832:

Which was three times read, (the rules of the House having first been dispensed with) and passed.

*Ordered*, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

Mr. Daniel, after have obtained leave, moved the following resolution:

*Resolved*, That this House will not after to-morrow pay any attention to petitions for State roads.

And on the question to adopt the same,  
It was decided in the negative.

The House proceeded to consider the orders of the day, and, Resumed the consideration of the bill to amend an act entitled an act for the relief of John Boner, of Jennings county, approved January 26, 1832; the question recurring on the amendment proposed thereto, by Mr. Ruddick, and pending at the adjournment on last evening—which amendment was, by striking out “\$200”—and inserting in lieu thereof \$150, being the allowance made to said Boner.

And the ayes and noes being requested thereon, by two members.

*Those who voted in the affirmative are,*

Messrs. Bryant, Clark, Claypool, Cox, Cristler, Culley, Davis of Sh'y, Edwards, Finch, Hamilton, Hargrove, Henley, Lane, Lewis, Mastin, Palmer, Parks, Payne, Peyton, Proffit, Roop, Ruddick, Skeen, Wallace, Watt, Wooden and Woodruff—28.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradbury, Bradley, Carter of M. & C., Crawford, Crume, Davenport, English, Ferguson of U., Fowler, Hanna, Howell, Huntington, Levenworth, Livingston, Lowe, M<sup>r</sup>. Junkin, M<sup>r</sup>. Nary, Mitchell, Moore, Reid, Ribble, Sands, Schoonover, Shortridge, Slaughter, Stanford, Steele, Vawter, and Davis, Speaker—31.

Sosaid motion was decided in the negative.

Said bill was then,

*Ordered* to be engrossed and read a third time on to-morrow.

And then the House adjourned until 2 o'clock, P.M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Howell,

*Resolved*, That the Senate be informed, that this House is now ready to go into the election of a President Judge and Prosecuting Attorney for the 8th judicial circuit, and that their presence is requested instanter and that seats are provided for them on the right of the Speakers's chair.

The Senate came down from their Chamber, and took their seats on the right of the Speaker's chair, the President of the Senate, on the right of the Speaker, both Houses then proceeded by joint ballot, to the appointment of a President Judge of the 8th judicial circuit.

On counting the first ballot, it appeared that

Charles W. Ewing received	12	votes for that office,
William M. Jenners	"	11
Tilman A. Howard	"	17
Gustavus A. Everts	"	26
Isaac Pierson	"	4
Andrew Davidson	"	8
James Morrison	"	11
Marinus Willet	"	8
Thomas Anthony	"	2
Scattering		1

No person having received a majority of all the votes given both Houses proceeded in like manner to a second balloting:

On the second ballot,

Charles W. Ewing received	16	votes for that office,
William M. Jenners	"	12
Tilman A. Howard	"	23
Gustavus A. Everts	"	29
Isaac Pierson	"	4
Andrew Davidson	"	8
James Morrison	"	7
Marinus Willet	"	1
Scattering		2

No person having received a majority of all the votes given both Houses in like manner, proceeded to a third balloting.

On the 3d ballot,

Charles W. Ewing	received	14	votes for that office,
William M. Jenners	"	7	
Tilman A. Howard	"	36	
Gustavus A. Everts	"	36	
Isaac Pierson	"	2	
Andrew Davidson	"	5	
James Morrison	"	1	
Blank		1	

No person having received a majority of all the votes given, both Houses in like manner proceeded to a 4th balloting:

On the 4th ballot,

Charles W. Ewing	received	8	votes for that office,
William M. Jenners	"	2	
Tilman A. Howard	"	41	
Gustavus A. Everts	"	50	

No person having received a majority of all the votes given, both Houses in like manner proceeded to a fifth balloting.

On the 5th ballot,

Charles W. Ewing	received	1	vote for that office.
Tilman A. Howard	"	47	
Gustavus A. Everts	"	52	
Blank		1	

Gustavus A. Everets having received a majority of all the votes given, was by the Prdsident of the Senate, in presence of both Houses of the General Assembly, declared duly elected President Judge of the 8th judicial circuit, in the State of Indiana, to serve as such for the term of seven years, from and after this day.

Both Houses then proceeded by joint ballot, to the election of a Prosecuting Attorney, for the 8th judicial circuit:

On counting the first hallot, it appeared that,

Henry Chase	received	10	votes for that office.
Henry Cooper	"	17	
John B. Chapin	"	22	
Benj. S. Noble	"	12	
Henry Secrest	"	20	
Samuel W. Parker	"	6	
Benj. Bull	"	12	
Scattering		2	



No person having received a majority of all the votes given, both Houses proceeded in like manner to a 2d balloting.

On the 2d ballot,

Henry Chase	had	11	votes for that office,
Henry Cooper	"	18	
John B. Chapman	"	23	
Benj. S. Noble	"	8	
Henry Secrest	"	27	
S. W. Parker	"	4	
Benj. Bull	"	6	
Blank		4	

No person having received a majority of all the votes given, both Houses proceeded in like manner to a third balloting.

On the 3d ballot,

Henry Chase	had	12	votes for that office,
Henry Cooper	"	22	
John B. Chapman	"	22	
Benj. S. Noble	"	5	
Henry Secrest	"	30	
Benj. Bull	"	4	
S. W. Parker	"	3	
Blank		3	

No person having reviewed a majority, both Houses proceeded in like manner, to a 4th balloting.

On the 4th ballot,

Henry Chase	had	13	votes for that office,
Henry Cooper	"	20	
John B. Chapman	"	25	
Benj. S. Noble	"	2	
Henry Secrest	"	36	
Benj. Bull	"	2	
Sam'l W. Parker	"	1	
Blank		2	

No person having received a majority of the votes gives, both Houses proceeded in like manner to a 5th balloting:

On the 5th ballot,

Henry Chase	had	13	votes for that office
Henry Cooper	"	17	
John B. Chapman	"	23	
Henry Secrest	"	42	
Benj. S. Noble	"	3	

Benj. Bull	"	1
Blank		1

No election having yet been made, it was therefore ordered by the President of the Senate, that said election be adjourned until to-morrow, at 1-2 past 9 o'clock, A. M.

The Senate then retired to their Chamber.

And then the House adjourned until to-morrow morning at 6 o'clock.

## THURSDAY, JANUARY 10, 1833.

The House met pursuant to adjournment.

Mr. Pruett to whom leave of absence was heretofore granted, appeared and resumed his seat.

A message from the Governor, by Mr. Maguire, his private Secretary:

MR. SPEAKER,

I am instructed by His Excellency, the Governor to inform the House of Representatives, that he did, on yesterday, approve and sign bills of the following titles, which originated in the House of Representatives, viz:

An act for the relief of John Conner; and

An act to authorize the proprietor of Thorntown, Boone county, to exchange certain lots therein named.

Mr. Wooden presented two petitions of sundry citizens of the counties of Morgan and Hendricks, severally praying that a part of Morgan be attached to Hendricks county;

Which were read and referred to a select committee of Messrs. Wooden, Cox, and Mastin.

Mr. Woodruff presented a remonstrance of Hendry Drury and others, against a State road to Spark's ferry, in the Driftwood fork of White river;

Which was read and referred to the committee on roads.

Mr. Mastin presented two petitions of sundry citizens, severally praying a relocation of part of the State road leading from Martinsville via Cox's mill to Danville;

Which were read and referred to a select committee of Messrs. Mastin, Davenport and Woodruff.

Mr. Lowe presented a petition of William Lightfoot, of Rush county, praying the passage of a special act, appointing a commissioner to convey to him, certain real estate therein named;

Which was read and referred to a select committee of Messrs. Lowe, Smith and Crume.

Mr. Mastin presented a remonstrance of James Green and others, against a change in the State road leading from Martinsville via Cox's mill to Danville;

Which was read and referred to the same select committee to which was referred petitions on the same subject.

Mr. Crume presented a petition of George Livingston and others, praying the location of a State road from Centreville to Brookville;

Which was read and referred to a select committee of Messrs. Crume, Reid and Ferguson of U.

Mr. Davis of Shy presented two remonstrances of sundry citizens of Shelby county, against a change in the Michigan road near Shelbyville;

Which were read, and laid on the table.

Mr. Lane, from the committee on roads, to which was referred the petition of Robert Elliott and others, on that subject reported a bill to establish a State road from Marion, in Ripley county, to Shelbyville in Shelby county, via Zenas, in Jennings county;

Which was read the first time and passed to a second reading.

Mr. Lane, from the same committee to which was referred the petition of James C. Kelso and others, on that subject, reported a bill to locate and establish a State road from Orleans, in Orange county, via Livonia, in Washington county, to intersect the State road leading from New Albany, to Vincennes, in the direction of Greenville in Floyd county;

Which was read the first time and passed to a second reading.

Mr. Lane, from the same committee to which was referred the petition of sundry citizens of Warren and Tippecanoe counties, on that subject, reported a bill to locate a State road from Lagrange in Tippecanoe county, to the State road leading from Williamsport, in Warren county to Chicago, in the State of Illinois.

Which was read the first time and passed to a second reading.

Mr. Davis of Sh'y, after having obtained leave, presented a petition of sundry citizens of Shelbyville, praying a change in part of the Michigan road near said town;

Which was read and laid on the table.

Mr. Proffit moved the following resolution:

*Resolved*, That this House will, the Senate concurring therein, proceed at 2 o'clock, P. M. this day, to the election of three canal commissioners, that the Senate be informed thereof and their concurrence requested.

On motion of Mr. Steele,

The same was amended, so as to go into the election instanter;

Said resolution was further amended by inserting after words "canal commissioners," "prosecuting attorney, for the 8th judicial circuit."

On motion of Mr. Hargrove,

The same was further amended, by striking out "canal commissioners;" when,

On motion of Mr Proffit.

Said resolution was indefinitely postponed.

Mr. Parks, after having obtained leave, presented a bill providing the mode of opening and repairing public roads and highways, in the county of Monroe;

Which was read the first time and passed to a second reading.

On motion of Mr. Bell,

The several orders of the day which precede the engrossed bill from the Senate to establish the county line between the counties of Madison, Hancock and Henry, were for the present postponed;

The said bill was then read the second and third times, (the rules of the House having first been dispensed with) amended by unanimous consent and passed.

*Ordered*, That the Clerk inform the Senate thereof and ask their concurrence in said amendment of the House.

The Senate then came down from their Chamber, and took their seats on the right of the Speaker's chair, the President of Senate on the right of the Speaker, and both Houses continued, by joint ballot, the election of Prosecuting Attorney, for the 8th Judicial circuit pursuant to adjournment.

On the 6th ballot,



Henry Chase	had	19	votes for that office,
John B. Chapman	"	25	
Henry Seerest	"	28	
Henry Cooper	"	7	
Benj. S. Noble	"	20	
Benj. Bull	"	1	

No person having received a majority of all the votes given, both Houses, in like manner proceeded to a 7th balloting:

On the 7th ballot,

Henry Chase	had	18	votes for that office,
John B. Chapman	"	30	
Henry Seerest	"	31	
Henry Cooper	"	2	
Benj. S. Noble	"	19	
Benj. Bull	"	2	

No person yet having received a majority of all the votes given, both Houses proceeded in like manner, to an 8th balloting.

On the 8th ballot,

Henry Chase	had	9	votes for that office,
John B. Chapman	"	54	
Henry Seerest	"	31	
Benj. S. Noble	"	4	
Henry Cooper	"	3	

John B. Chapman having received a majority of all the votes given, was by the President of the Senate, in presence of both Houses of the General Assembly declared duly elected Prosecuting Attorney of the 8th judicial circuit, in the State of Indiana, to serve as such for the term of two years, from and after this day.

The Senate retired to their Chamber.

The House then proceeded to consider the orders of the day.

On motion of Mr. Dunn,

The consideration of the bill to provide for the establishment of a State Bank, was for this day suspended.

The engrossed bill from the Senate for the relief of William Richards, road commissioner, and for other purposes;

Was read the second time; and

*Ordered* to be read a third time to-morrow.

The bill to incorporate the Christian University College at New Albany, Indiana,

Was read the second time.

On motion of Mr. Moore,

The same was amended by striking out "University" wherever it occurs in the name of the incorporation.

Said bill was then,

*Ordered* to be engrossed and read a third time to-morrow.

The bill to establish a State road from the Tobacco landing, in Harrison county, by the way of Laconia, to Corydon, in said county, and for other purposes,

Was read the second time, and

On motion of Mr. Levenworth,

Said bill was amended by striking out the 5th and 6th sections thereof.

On motion of Mr. Payne,

Said bill was committed to the same committee of the whole House, to which is committed the engrossed bill from the Senate, making a distribution of the 3 per cent. fund.

The bill to locate a State road leading from Centreville, in Wayne county to a certain point in Henry county,

Was read the second time, and committed to a committee of the whole House for to-morrow.

The joint resolution of the General Assembly, of the State of Indiana, relative to the removal of the Pension office,

Was read the second time.

Mr. Mitchell moved to postpone the further consideration thereof indefinitely.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bradley, Carter of O., Clark, Cravens, Culley, Daniel, Dunn, English, Ferguson of C., Hamilton, Hargrove, Henley, Howell, Huntington, Lane, Levenworth, Livingston, Mitchell, Palmer, Parker, Parks, Payne, Proffit, Sands, Schoonover, Skeen, Slaughter, Wallace, Wooden and Davis, Speaker—33.

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Buell, Carter of M. & C., Claypool, Cox, Crawford, Cristler, Crume, Davenport, Davis of Sh'y, Edwards, Ferguson of U., Finch, Fowler, Goodbar, Hanna, Heustis, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Osborn, Peyton, Pruett, Rariden, Reid, Ribble, Roop, Ruddick, Shortridge, Stanford, Steele, Vawter, Watt, and Woodruff—37.

So said joint resolution was not indefinitely postponed.

Mr. Lane moved to strike out the preamble thereof;  
Which motion did not prevail.

Mr. Proffit moved to amend the preamble by adding the following "and whereas a very small minority of the pensioners have petitioned this body for the removal of the office;"

Which motion was decided in the negative.

Mr. Payne moved to refer said joint resolution to a select committee with instructions to report the facts.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bradley, Carter of O., Clark, Cravens, Culley, Daniel, Dunn, English, Ferguson, of C., Hamilton, Hargrove, Henley, Howell, Huntington, Lane, Levenworth, Livingston, Mitchell, Moore, Palmer, Parker, Parks, Payne, Proffit, Sands, Schoonover, Skeen, Wallace, Wooden, and Davis, Speaker—32.

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Buell, Carter of M. & C., Claypool, Cox, Crawford, Crstler, Crume, Davenport, Davis of Sh'y, Edwards, Ferguson of U., Finch, Fowler, Goodbar, Hanna, Heustis, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Osborn, Peyton, Pruett, Rariden, Reid, Ribble, Roop, Ruddick, Shortridge, Stanford, Steele, Vawter, Watt, and Woodruff—37.

So said motion was decided in the negative.

Mr. Cravens moved to amend said joint resolution, so as to direct that the petitions and remonstrances accompanying the same, be forwarded with said joint resolution to the Secretary of War;

And the ayes and noes being requested thereon by two members.

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bradley, Carter of O., Clark, Cravens, Culley, Daniel, English, Ferguson of C., Hargrove, Henley, Huntington, Lane, Levenworth, Livingston, Mitchell, Moore, Palmer, Parker, Parks, Payne, Sands, Schoonover, Skeen, Wallace and Wooden—27.

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Buell, Carter of M. & C., Claypool, Cox, Crawford, Cristler, Crume, Davenport, Davis of Sh'y, Dunn, Edwards, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hanna, Heustis, Howell, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Osborn, Peyton, Proffit, Pruett, Rariden, Reid, Ribble, Roop, Ruddick, Shortridge, Stanford, Steele, Vawter, Watt, Woodruff and Davis, Speaker—42.

So said motion was decided in the negative.

Said joint resolution was then ordered to be engrossed and read a third time to-morrow.

And then the House adjourned until 2 o'clock, P. M.

*2 o'clock P. M.*

The House met pursuant to adjournment.

On motion of Mr. Palmer,

The several orders of the day which precede the bill for the relief of James Tiller were for the present postponed:

Said bill was read the second time.

On motion of Mr. Woodruff,

The same was amended, by filling the blank in said bill with "township eleven, North of Range four, East."

Said bill was then ordered to be engrossed and read a third time to-morrow.

The bill to locate a State road from the Ohio line, near Hillsborough in Wayne county, to intersect the Winchester and New-Castle State road in Henry county;

The joint memorial on the subject of a road from Harrison to Louisville Indiana;

The bill to amend the act entitled an act to organize Probate Courts and defining the powers and duties of executors, administrators and guardians;

The bill to locate part of the State road from Rockport to Boonville;

The bill for the relief of Richard Palmer;

The bill to amend an act entitled an act to regulate descents, distribution and dower;

The bill to locate a State road from Lafayette in Tippecanoe county, to intersect a State road leading from Delphi in Carroll county to Lake Michigan;

The bill to establish a State road from Greencastle in the county of Putnam, to the county line of Parke;

The bill for the relief of James M'Farland; and



The bill to amend the laws now in force relative to the Wash and Erie canal,

Were severally read the second time and ordered to be engrossed and read the third time to-morrow.

The bill for the relief of Moses Matthews was read the second time.

Mr. Howell moved to recommit said bill to the same select committee by whom it was reported—

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Buell, Crawford, Daniel, Davenport, Davis of Sh'y, Dunn, English, Ferguson of U., Fowler, Hamilton, Hanna, Hargrove, Howell, Levenworth, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Reid, Roop, Sands, Shortridge, Vawter and Davis, Speaker—26.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Carter of M. & C., Carter of O., Clark, Claypool, Cox, Cravens, Cristler, Crume, Culley, Edwards, Ferguson of C., Henley, Heustis, Huntington, Lane, Lewis, Moore, Osborn, Palmer, Parks, Peyton, Pruett, Rariden, Ribble, Ruddick, Schoonover, Skeen, Slaughter, Steele, Wallace, Wooden and Woodruff—36.

So said bill was not committed.

Mr. Howell moved to amend the same, by adding thereto the following proviso:

“Provided that said dam does not obstruct the navigation of said creek, nor the passage of a State road leading from the ferry on the Ohio river, opposite the Yellow Banks to Boonville.”

Which motion was decided in the negative.

Mr. Daniel moved to postpone the further consideration thereof indefinitely;

Which motion did not prevail.

On motion of Mr. Lane,

Said bill was amended by adding thereto the following proviso:

“Provided also, that nothing herein contained shall be so construed as to effect the right of any person to any claim for damages for any injury done their property by exercise of the privileges hereby granted.”

Said bill was then ordered to be engrossed and read the third time to-morrow.

The bill to amend an act entitled an act for opening and repairing public roads and highways;

The engrossed bill from the Senate to amend the act entitled an act for opening and repairing public roads and highways, approved February 10th, 1831;

Were severally read the second time and committed to the same committee of the whole House to which are committed other bills of the same title.

The joint resolution to authorize the sale of the Governor's Circle in the town of Indianapolis;

The bill to incorporate the Rising Sun Insurance Company;

The engrossed bill from the Senate to amend the act to provide for electing county and township officers;

The bill to amend an act entitled an act to encourage the killing of wolves, approved February 10th, 1831;

The bill to relocate a part of the Mauk's ferry State road; and

The engrossed bill from the Senate for the relief of Lismund Basve;

Were severally read the second time and committed to a committee of the whole House for to-morrow.

The bill to provide for the establishment of a State road from Covington to Russellville, was read the second time; and

On motion of Mr. Sands,

Said bill was committed to the committee on roads.

The bill to amend the act entitled an act regulating weights and measures, approved January 21, 1818,

Was read the second time,

Mr. Lewis moved to postpone the further consideration thereof indefinitely—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Bradbury, Carter of M. & C., Carter of O., Clark, Daniel, Davenport, Edwards, Fowler, Hamilton, Hanna, Hargrove, Henley, Howell, Levenworth, Lewis, Mastin, Mitchell, Moore, Palmer, Parker, Parks, Payne, Rariden, Reid, Ribble, Sands, Steele, Watt and Davis, Speaker—31.

*And those who voted in the negative are,*

Messrs. Bonner, Bradley, Bryant, Buell, Claypool, Cox, Cravens, Crawford, Cristler, Crume, Culley, Davis of Sh'y, English,

Ferguson of C., Finch, Heustis, Huntington, Lane, Livingston, Lowe, M'Junkin, M'Nary, Osborn, Peyton, Proffit, Pruett, Roop, Ruddick, Schoonover, Shortridge, Skeen, Slaughter, Smith, Stanford, Vawter, Wallace, Wooden and Woodruff—38.

So said motion was decided in the negative.

On motion of Mr. Pruett,

Said bill was amended by striking out so much as fixes the weight of rye per bushel.

Said bill was then ordered to be engrossed and read a third time to-morrow.

The bill appropriating \$400 out of the 3 per cent. fund, apportioned to the county of Putnam, for the purpose of building a bridge across the Big Walnut fork of Eel river, in said county of Putnam, was read the second time; and

On motion of Mr. Sands,

Said bill was committed to the same committee of the whole House to which is committed the engrossed bill from the Senate making distribution of the 3 per cent. fund.

Engrossed bills and joint resolution from the Senate of the following titles, to wit:

An act appropriating \$387 86 1/2 cents for the payment of the subscribers to the building of the State prison;

An act to authorize the expenditure of that part of the 3 per cent. fund heretofore appropriated to the counties of Huntington and Wabash;

A joint resolution to urge the speedy survey and sale of lands recently obtained, and the establishment of a Land Office north of the Wabash river; and

An act to locate a State road from Stilesville, by the way of New Maysville, to Crawfordsville,

Were severally read the second time and ordered to be read the third time to-morrow.

The bill to amend an act for assessing and collecting the revenue, approved February 10th, 1831, was read the second time.

Mr. Cravens moved to amend said bill, by striking out the word "stud-horse" where it occurs, and insert in lieu thereof the word "stallion;"

Which motion was decided in the negative.

On motion of Mr. Steele,

Said bill was committed to a committee of the whole House for to-morrow.

The bill to repeal an act to locate a State road from New-Albany to Lexington, was read the second time.

On motion of Mr. Henley,

Said bill was committed to a select committee of Messrs. Henley, Parker, Ferguson of C., English and Moore.

The bill to provide for the location of a State road from Rockville to Rob Roy, was read the second time.

On motion of Mr. Bryant,

Said bill was amended, by striking out the word "forty," before the word "feet," and inserting in lieu thereof the number "fifty," being the width of the road.

On motion of Mr. Parker,

The rules of the House were dispensed with and said bill was read a third time and passed.

*Ordered*, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

The engrossed bill from the Senate, to locate a State road from Moutezuma to intersect the State road from Danville to Montezuma, was read the second time; and

On motion of Mr. Pruett,

Was committed, together with a remonstrance on that subject, to the committee on roads.

The engrossed bill from the Senate supplemental to the act entitled "an act to establish a State road from the county seat of Grant to the county seat of Elkhart," was read the second time; and,

On motion of Mr. Crawford,

Committed to the same select committee to which was referred a petition on that subject.

The engrossed bill from the Senate to establish a State road from the Ohio line to Dalton, near the west boundary of Wayne county was read the second and third times (the rules of the House having first been dispensed with) and passed.

*Ordered*, That the clerk inform the Senate thereof.

The bill to amend the "act regulating the jurisdiction and duties of justices of the peace," approved February 10, 1831; and

The bill to repeal the second section of the act last named,

Were severally read the second time and committed to the same committee of the whole House to which are committed, other bills upon the same subject.

The engrossed bill from the Senate for the relief of Vincent Dufour, heir of John James Dufour, deceased, was read the second and third times (the rules of the House having first been dispensed with) and passed.

*Ordered*, That the clerk inform the Senate thereof.



The bill to amend the act entitled "an act subjecting real and personal estate to execution," approved February 4, 1832, was read the second and third times (the rules of the House having first been dispensed with) and passed.

*Ordered*, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

The bill to repeal the ninth section of the act entitled "an act regulating the fees and salaries of the several officers and persons therein named, was read the second time; and

On the question,

Shall said bill be engrossed and read a third time to-morrow?

It was decided in the negative.

So said bill was rejected.

The bill to amend the act entitled "an act relative to crime and punishment," approved February 10, 1831, was read the second time; and

On motion of Mr. Proffit,

Indefinitely postponed.

The bill to authorize George White to keep a toll bridge across Silver creek, was read the second time; and,

On motion of Mr. Clark,

The further consideration thereof was indefinitely postponed.

On motion of Mr. Henley,

The vote on the postponement of said bill was reconsidered; and thereupon,

On motion of Mr. Ferguson of C.,

It was ordered that said bill do lie on the table.

And then the House adjourned until to-morrow morning at 9 o'clock.

FRIDAY, JANUARY 11th, 1833.

The House met pursuant to adjournment.

On motion of Mr. Davenport,

Mr. Woodruff had leave of absence from the service of the House until Monday next.

The Speaker laid before the House a communication from B. L. Blythe, agent of the 3 per cent. fund, covering a report of

said Agent, made in obedience to a resolution of the House of Representatives, directing him to make a more full statement of the \$100,000, appropriated by an act of the legislature of 31st Dec. 1821;

Which was read and laid on the table.

The following message was received from the Senate by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed without amendment an engrossed bill from the House of Representatives entitled an act to more permanently establish the boundary line, between Vermillion and Warren counties. Also,

Bills of the Senate entitled acts as follows, to wit:

An act to amend the act entitled an act for the relief of insolvent debtors, approved February 9th, 1831;

An act to authorize the board of commissioners, of Knox county, to provide for the support of the paupers of said county,

In which bills of the Senate the concurrence of the House of Representatives is requested.

The bills from the Senate named in said message were severally read the first time and passed to a second reading.

Mr. Claypool presented a petition of Joseph Orr and others, citizens of Fountain county, praying the location of a State road from Covington by the way of Newtown, to Noblesville;

Which was read and referred to the committee on roads.

Mr. Schoonover presented a petition of James Ferguson and others, praying a change in part of the State road leading from New Albany to Vincennes;

Which was read and referred to the committee on roads.

Mr. Schoonover presented two remonstrances of sundry citizens against the prayer of the above petitioners;

Which were severally read and referred to the committee on roads.

Mr. Smith presented sundry remonstrances of citizens of Rush county, against the opening of a State road from Napoleon, in Ripley county, to Jehu Perkins' in Rush county;

Which were severally read and referred to the committee on roads.

Mr. Wooden made the following report:

The committee on military affairs to which was recommitted the report, in relation to the two elections for Brigadier General in the 22d Brigade, Indiana Militia, have had that report under-

consideration, and have directed me to return it to the House without amendment; further investigation has confirmed the committee in the belief that it ought not to be altered. The committee therefore ask to be discharged from the further consideration of the subject;

Which was read and laid on the table.

Mr. Lane made the following report:

The committee on roads to which was referred the petition of Noah Denton and others, praying for a State road from Spark's ferry, on White river, to Indianapolis; and also, a remonstrance against the same, have had that subject under consideration, and have directed me to report that it is inexpedient to legislate on that subject, therefore ask to be discharged from the further consideration thereof.

Whereupon,

Said committee was discharged accordingly.

Mr. Lane, from the same committee to which was committed the engrossed bill from the Senate to locate a State road from Montezuma to intersect the State road from Danville to Montezuma, reported the same without amendment.

*Ordered*, That said bill be read a third time to-morrow.

Mr. Sands, from the same committee to which was re-committed the bill to provide for the establishment of a State road from Covington to Russellville, reported the same without amendment.

Said bill was then

*Ordered* to be engrossed and read a third time to-morrow.

Mr. Sands, from the same committee to which was referred a petition of sundry citizens of Morgan county, on that subject, reported a bill to relocate a part of the State road leading from Martinsville in Morgan county, to Danville, in Hendricks county;

Which was read the first time and passed to a second reading.

Mr. Ribble made the following report:

The select committee to which was referred the petition and remonstrance of the citizens of the county of Grant, in relation to the removal of the county seat of said county, report that they have had the same under consideration, and finding that there are more signers to the remonstrance than there are to the petition, and after duly considering the subject and giving it that reflection and investigation, its importance demands, consider it



inexpedient to legislate on that subject, and wish to be discharged from the further consideration thereof.

Which was read and concurred in by the House.

Mr. Sands, from the select committee to which was recommitteed a resolution on military affairs, reported a bill to amend the act to organize and regulate the militia of the State of Indiana;

Which was read the first time and passed to a second reading.

Mr. Howell, from the select committee to which referred a resolution on that subject, reported a bill to amend an act entitled an act to organize and regulate the militia of the State of Indiana;

Which was read the first time and passed to a second reading.

A message from the Senate by Mr. Morris their Assistant Secretary:

MR. SPEAKER,

The Senate concurs in the amendment proposed by the House of Representatives, to the engrossed bill of the Senate, entitled an act to establish the county line between the counties of Madison, Hancock and Henry.

Mr. Bell, from the select committee to which was referred the petition of sundry citizens of Madison county, on that subject, reported a bill to locate a State road from Andersontown, in Madison county, to Logansport, in Cass county;

Which was read the first time and passed to a second reading.

On motion of Mr. Hargrove,

*Resolved*, That the committee on the affairs of the town of Indianapolis be instructed to enquire into the expediency of either abolishing the office of Agent of State, for the town of Indianapolis, and transfer the duties thereof to the Treasurer and Auditor of State, or to enquire into the expediency of reducing the salary to said Agent; and report by bill or otherwise.

Mr. Proffit moved the following resolution:

*Resolved*, That a select committee be appointed, whose duty it shall be to report a joint resolution, requesting our Senators and Representatives in Congress to support a renewal of the charter of the Bank of the United States, with such modifications as will secure its passage and approval by the Executive of the United States.

And on the question to adopt the same;  
It was decided in the negative.



Mr. Boyd moved the following resolution:

*Resolved*, That the committee on military affairs be instructed to enquire into the expediency of attaching Green county to the 15th Brigade of Indiana militia, and the county of Clay, to the 11th Brigade;

Which was read and laid on the table.

Mr. Sands moved to take up the resolution heretofore offered by Mr. Parker and laid on the table, relative to an adjournment *sine die*, on the 19th inst.;

Which motion did not prevail.

Mr. Steele moved to take up a resolution providing a compensation for militia duty heretofore laid on the table;

Which motion was decided in the negative.

Mr. Mitchell moved to take up the joint resolution on the subject of the public lands, heretofore laid on the table;

Which motion was decided in the negative.

Mr. Hanna, after having obtained leave, presented a joint resolution relative to the public printing;

Which was twice read, (the rules of the House having first been dispensed with,) and,

On motion of Mr. Schoonover,

The blank in said joint resolution was filled with the number 4000, (being the number of copies of laws to be printed.)

On motion of Mr. Huntington,

The same was further amended by adding thereto the following:

"That the alphabetical order heretofore observed be dispensed with in printing, and that the Secretary of State cause the same to be bound in good half binding."

Said joint resolution was then considered as engrossed, read the third time, further amended by unanimous consent and passed.

*Ordered*, That the Clerk carry it to the Senate and ask their concurrence.

Mr. Sands moved to suspend the previous orders of the day, and that the House do now resolve itself into a committee of the whole House on the engrossed bill from the Senate making a distribution of of the 3 per cent. fund;

Which motion was decided in the negative.

Mr. Culley, after having obtained leave, presented a bill amendatory of an act to incorporate the town of Lawrenceburgh;

Which was read the first time and passed to a second reading.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate has passed an engrossed bill entitled,

"An act to incorporate the Monroe county Female Seminary;"

In which bill the concurrence of the House of Representatives is requested.

The bill named in said message was read the first time and passed to a second reading.

On motion of Mr. Sands,

The House proceeded to consider bills on their third reading. Engrossed bills of the following titles to wit:

A bill to amend the act entitled an act to provide for the appointment of county surveyors, and their deputies, approved Feb. 10th, 1831;

A bill to incorporate the Ohio and Charlestown turnpike company;

A bill to establish a State road from Salem in Washington county, to Leesville in Lawrence county;

A bill appointing a commissioner on roads No. 10 and 26, and authorizing the expenditure by him of the balance due said road;

A bill to vacate part of the town plat of the town of Centreville, in Wayne county, Indiana;

A bill to repeal an act entitled an act to raise additional revenue for the county of Ripley, approved January 24th, 1831;

A bill for the better regulation of towns; and

A bill to amend an act entitled an act for the relief of John Boner of Jennings county;

Were severally read the third time and passed.

Ordered, That the same be entitled acts, and that the clerk carry them to the Senate and ask their concurrence.

The engrossed bill for the relief of Thomas Speed was read the 3d time.

Mr. Henly moved to commit said bill to a select committee, with instructions to strike out the preamble;

Which motion was decided in the negative.

And on the question, shall said bill pass?

It was carried in the affirmative.

*Ordered*, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Bariden,

The vote taken on the passage of the engrossed bill to vacate a part of the town plat of the town of Centreville, in Wayne county, was reconsidered.

The question recurring on the passage of said bill, and being put,

It was decided in the negative.

So said bill was rejected.

The engrossed memorial and joint resolution of the General Assembly of the State of Indiana, from the Senate, soliciting Congress to appropriate land or money sufficient to improve the navigation of the Wabash and White rivers,

Was read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof, and ask their concurrence in the amendment made by the House.

The engrossed memorial and joint resolution on military affairs,

Was read the third time.

Mr. Steele moved to commit the same to a select committee, with instructions to strike out all except so much as was originally reported by the committee on military affairs;

Which motion was decided in the negative.

The question was then put, shall said memorial and joint resolution pass?

It was carried in the affirmative.

*Ordered*, That the clerk carry it to the Senate and ask their concurrence.

The engrossed bill to incorporate the Harrison and Indianapolis turnpike company, was read the third time, amended by unanimous consent, and passed.

*Ordered*, That the clerk carry it to the Senate and ask their concurrence.

The engrossed bill from the Senate for the relief of William Richards, road commissioner, and for other purposes;

Was read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

The engrossed joint resolution of the General Assembly of the State of Indiana, relative to the removal of the Pension Office;

Was read the third time.



Mr. Payne moved to recommit the same to a select committee, with the following instructions to be added to the preamble, to wit:

And whereas, two of the pensioners now inscribed on the roll of the Indiana Agency, have petitioned for, and eighty one of the pensioners aforesaid, have remonstrated against any change in the present location of said agency; the said remonstrating pensioners alledging in their said remonstrance that, "its location at Corydon is more convenient for a large majority of us than it would be at Indianapolis," and have humbly besought this "honorable body to permit it to remain where it is, and in the hands of the present Agent.

And before the question was put thereon, the House adjourned until 2 o'clock P. M.

*2 o'clock, P. M.*

The House met pursuant to adjournment,

And resumed the consideration of the engrossed joint resolution of the General Assembly of the State of Indiana, relative to the removal of the pension office.

The question recurring on the motion of Mr. Payne to recommit;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bradley, Carter of O., Clark, Cravens, Daniel, English, Hargrove, Henley, Howell, Lane, Levenworth, Livingston, Moore, Palmer, Parker, Parks, Payne, Sande, Schoonover, Skeen, Wallace and Wooden—24

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Bryant, Buell, Carter of M. & C., Claypool, Cox, Crawford, Cristler, Crume, Culley, Davenport, Edwards, Ferguson of U., Finch, Fowler, Hamilton, Hanna, Heustis, Lewis, Lowe, Mastin, M'Nary, Osborn, Peyton, Pruett, Rariden, Reid, Ribble, Roop, Ruddick, Shortridge, Smith, Stanford, Steele, Vawter, Watt, and Davis, Speaker—38.

So said motion was decided in the negative.



The question was then put, shall said memorial and joint resolution pass.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Buell, Carter of M. & C., Claypool, Cox, Crawford, Cristler, Crume, Davenport, Davis of Sh'y, Edwards, Ferguson of U., Finch, Fowler, Hanna, Heustis, Lewis, Lowe, Mastin, M'Nary, Osborn, Peyton, Pruett, Rariden, Reid, Ribble, Roop, Ruddick, Shortridge, Smith, Stanford, Steele, Vawter, and Watt—35.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bradley, Carter, of O., Clark, Cravens, Culley, Daniel, Dunn, English, Ferguson of C., Hamilton, Hargrove, Henley, Howell, Huntington, Lane, Levenworth, Livingston, Moore, Palmer, Parker, Parks, Payne, Sands, Schoonover, Skœn, Wallace, Wooden, and Davis, Speaker—30.

So said memmorial and joint resolution passed.

*Ordered,* That the clerk carry it to the Senate and ask their concurrence.

Engrossed bills of the House, of the following titles, viz:

A bill for the relief of James Tiller.

A bill to locate a state road from the Ohio line near Hillsborough, in Wayne county, to intersect the Winchester and Newcastle state road in Henry county.

A bill to relocate a part of the state road from Rockport to Boonville.

A bill to amend an act entitled, "an act regulating weights and measures," approved Jan. 21, 1818.

A bill to amend an act entitled, "an act regulating descents, distribution and dower," approved Jan. 29, 1831.

A bill to locate a State road from Lafayette, in Tippecanoe county, to intersect a State road leading from Delphi, in Carroll county, to Lake Michigan,

A bill to establish a State road from Green-Castle, in the county of Putnam, to the county line of Parke; and

A bill for the relief of James M'Farland;

Were severally read a third time and passed.

*Ordered,* That they be entitled acts, and that the clerk carry them to the Senate and ask their concurrence.

The engrossed bill for the relief of Moses Mathews, was read the third time.

Mr. Howel moved to commit it to a select committee, with instructions to compare the petition and remonstrance;

And the yeas and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Buell, Carter of O., Claypool, Cravens, Crawford, Cristler, Daniel, Davenport, Dunn, Edwards, English, Fowler, Hamilton, Hanna, Hargrove, Henley, Heustis, Howell, Levenworth, Livingston, Mastin, M'Junkin, Moore, Osborn, Parks, Payne, Peyton, Pruett, Ribble, Roop, Sands, Shortridge, Smith, Stanford, and Vawter—36.

*And those who voted in the negative are*

Messrs. Bell, Bradbury, Bradley, Bryant, Carter of M. & C., Clark, Cox, Crume, Culley, Davis of Sh'y, Ferguson of U., Finch, Huntington, Lane, Lewis, Lowe, Palmer, Parker, Ruddick, Reid, Schoonover, Skeen, Steele, Wallace Watt, Wooden, and Davis, Speaker—27.

So said motion passed in the affirmative.

*Ordered,* That Messrs. Howel, Hargrove and Daniel be that committee.

The engrossed joint memorial, on the subject of a road from Harrison to Louisville, Indiana; was read the third time, amended by unanimous consent, and passed.

*Ordered,* That the clerk carry it to the Senate and ask their concurrence.

The engrossed bill to amend an act entitled "an act to organize Probate Courts, and defining the powers and duties of Executors, Administrators and Guardians;" approved February 10, 1831;

Was read the third time, and

On motion of Mr. Rariden, recommitted to a select committee of Messrs. Rariden, Moore and M'Junkin.

The engrossed bill for the relief of Richard Palmer, was read the third time, amended by unanimous consent, and passed.

*Ordered*, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Engrossed bills of the Senate of the following titles, to wit:

An act appropriating \$387.864 cents, for the payment of the subscribers to the building of the State Prison;

An act authorizing the expenditure of the three per cent. fund heretofore appropriated to the counties of Huntington and Wabash; and

An act to locate a State road from Stilesville by the way of New Maysville to Crawfordsville;

Were severally read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

The joint resolution of the General Assembly of the State of Indiana, from the Senate to urge the speedy survey and sale of lands recently obtained, and the establishment of a Land Office north of the Wabash river;

Was read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

The engrossed bill to amend the law now in force, relative to the Wabash and Erie Canal,

Was read the third time.

Mr. Stanford moved to recommit said bill to a select committee, with instructions to add to the 4th section the following:

"And it shall hereafter be the duty of the canal commissioners, to exhibit to the General Assembly in their annual report, the particular price at which each contract may have been let."

Mr. Buell moved to amend said instructions by adding thereto the following: "and to so alter the bill as to secure materials furnished by contractors, from execution."

Which motion was decided in the negative.

Mr. Stanford, after having obtained leave, withdrew his said motion to commit.

Said bill was then amended by unanimous consent and passed.

*Ordered*, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Mr. Bryant, after having obtained leave, presented a bill to



provide for the summoning of grand and petit jurors for the next March term of the Parke Circuit Court.

Which was three times read, (the rules of the House having first been dispensed with) and passed.

Ordered, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Culley,

The House proceeded to consider bills on their second reading.

The bill to provide for building school houses in Congressional townships, No. 17, north of range No. 9 west, in the county of Vermillion;

The bill to establish certain State roads therein named.

The bill to vacate part of a certain State road therein named;

The bill supplemental to an act entitled, "an act to locate a State road from Merom, in Sullivan county, to a point on the Beno and Terre-Haute State road;

The bill for the location of a State road from Chambersburgh, in Fountain county, to Williamsport in the county of Warren; and

The bill to change a part of the State road from Levenworth's mill, to Orleans, in Orange county,

Were severally read the second time and ordered to be engrossed and read the third time to-morrow.

The bill to incorporate a board of trustees for the promotion of schools and education in Clark's Grant;

Was read the second time, and

On motion of Mr. Henley,

Committed to a select committee, of Messrs. Henley, Ferguson of C., Moore and Parker.

The bill for the benefit of Asa Church;

Was read the second time, and

On motion of Mr. Bryant,

Said bill was committed to the same select committee by whom it was reported.

The engrossed joint resolution of the General Assembly from the Senate, on the subject of the public lands;

Was read the second and third times and passed.



*Ordered*, That the clerk inform the Senate thereof.

The engrossed joint resolution from the Senate, authorizing the subscription for the second volume of Blackford's reports;

Was read the second time.

Mr. Rariden moved to commit said joint resolution to a select committee, with instructions to direct the Secretary of State to pay a certain portion of the subscription in advance to the reporter.

Mr. Stanford moved to amend said instructions, by directing said committee to procure one additional copy for each county in the State, for the use of the county library, to be loaned without charge;

Which motion passed in the affirmative.

Said joint resolution was then committed as proposed.

*Ordered*, That Messrs. Rariden, Dunn, and Slaughter be that committee.

The bill to amend an act for assessing and collecting the revenue, approved Feb. 10, 1831;

Was read the second time, and

On motion of Mr. Lane,

Committed to the same committee of the whole House, to which is committed other bills of the same title.

On motion of Mr. Osborn,

Mr. Bryant was added to the select committee to which was committed a bill for the benefit of Asa Church, and for other purposes.

The bill to provide for the sale of certain lands therein named;

Was read the second time.

On motion of Mr. Mitchell,

The blank before the word commissioner, was filled with the words, "Andrew Wilson of Orange county."

And then the House adjourned until to-morrow morning at 8 o'clock.

SATURDAY, JANUARY 12th, 1833.

The House met pursuant to adjournment.

Mr. Crawford presented two petitions of sundry citizens of the counties of Elkhart and Allen, severally praying additional representation in their Senatorial and Representative district;

Which were severally read and referred to a select committee of Messrs. Crawford Edwards and Finch.

Mr. Daniel, after having obtained leave, moved the following resolution:

*Resolved*, That whereas General William Henry Harrison, has reached this place, as the successful defender of our State against the ruthless savage; the preserver of Fort Meigs; the discomfiture of Proctor, be invited by our Speaker to take a seat within the bar of the House of Representatives.

On motion of Mr. Moore,

Said resolution was amended by striking it out from the word "resolved" and substituting in lieu thereof the following:

"That the Speaker of the House respectfully invite the Hon. William Henry Harrison, late Governor of the Indiana Territory, now at Indianapolis, to take a seat within the Hall of the House of Representatives, during his stay with us."

Said resolution as amended was then adopted by the House.

Mr. Henley presented a remonstrance of Fletcher Pottorff and others, citizens of Clark county, against a State road from New Albany to Lexington;

Which was read and laid on the table.

Mr. Moore made the following report:

The judiciary committee to which was referred the memorial of William S. Jones of Bartholomew county, charging Joseph M'Kinney, the clerk of the circuit court of said county, with illegal and oppressive conduct in his said office of clerk, and praying an enquiry into the same, have had the subject under consideration, and have come to the opinion that the charges ought to be investigated, but not having power to look beyond the memorial for evidence touching said charges, submit the following resolution, to wit:

*Resolved*, That the judiciary committee be instructed to enquire into the official conduct of the said Joseph M'Kinney, clerk of the circuit court of Bartholomew county, and that said committee be authorized and empowered to use process issued by the authority of this House, to compel the attendance of the necessa-

ry witnesses before them, and when produced before them to examine said witnesses under oath or affirmation, to be administered to such witnesses through the chairman of said committee and that they report the result of such examination and enquiries to the House;

Which was read, when

Mr. Palmer moved to amend said resolution, by striking it out from the resolving clause, and inserting in lieu thereof the following:

"That from the nature and indefinite character of the charges made by William S. Jones against Joseph M'Kinney, clerk of Bartholomew county, this House deem it inexpedient to take further proceedings therein."

Mr. Bell called for a division of the question, and

It was thereupon put on striking out,

And decided in the negative.

Mr. Ferguson of C. moved to postpone the further consideration of said resolution until the 1st Monday in December next—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bryant, Clark, Claypool, Culley, Dunn, English, Ferguson of C., Henley, Heustis, Howell, Huntington, Lane, Lowe, M'Nary, Moore, Osborn, Parker, Parks, Payne, Rariden, Reid, Ruddick, Sands, Schoonover, Skeen, Slaughter, Wallace, Wooden and Davis, Speaker—29.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Buell, Carter of M. & C., Carter of O., Cox, Cravens, Crawford, Cristler, Crume, Daniel, Davenport, Davis of Sh'y, Edwards, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hanna, Hargrove, Levenworth, Lewis, Livingston, Mastin, M'Junkin, Palmer, Peyton, Proffit, Pruett, Ribble, Roop, Shortridge, Smith, Stanford, Steele, Vawter, and Watt—41.

So said motion was decided in the negative.

Said resolution as reported by the judiciary committee was then adopted by the House.

Mr. Wooden made the following report:

The committee on military affairs to which was referred the report of the Adjutant General made in pursuance of two reso-



lutions of this House, one offered by Mr. Rariden, the other by Mr. Hanna, have had the said report under consideration, and find the facts therein set forth, to be correct, only in the particular of a want of recollection on the part of the Adjutant General; the chairman of the committee on military affairs, is not mistaken, when he says that the Adjutant General, told him that no commission would issue for John M. Cook, as Brigadier General of the 22d Brigade, Indiana militia, that one commission had issued for a Brigadier General, to command that brigade, and that two commissions could not issue for the same office; the committee therefore ask to be discharged from the further consideration of the subject;

Which was read, and laid on the table.

Mr. Henly, from the committee on the affairs of the State prison, to which was referred a resolution on that subject, reported a bill to amend an act entitled "an act for the regulation of the State prison," approved January 10th, 1831;

Which was read the first time and passed to a second reading.

Mr. Lane made the following report:

The committee on roads, to which was referred the petition of George Walker and others, asking the location of a State road from Lebanon, by Uniontown, to intersect the road leading from Noblesville, to Crawfordsville, have had the same under consideration and have directed me to report it inexpedient to legislate on that subject, at this time; therefore ask to be discharged from the further consideration thereof;

Which was read and concurred in by the House.

Mr. Claypool, from the select committee to which was referred the petition of James Sewell and others, on that subject, reported a bill for the location of a State road from Rockville in Parke county, to Lafayette, in Tippecanoe county;

Which was read the first time and passed to a second reading.

Mr. Bryant, from the select committee to which was committed the bill for the benefit of Asa Church, and for other purposes, reported the same with two amendments;

Which were read and agreed to by the House.

Mr. Moore moved to commit said bill to a committee of the whole House for Monday next.

Mr. Crume moved to postpone the further consideration thereof indefinitely.

Mr. M'Junkin moved to lay the same on the table;

Which motion was decided in the negative.



The question recurred on Mr. Crume's motion to postpone,  
And was decided in the negative.

And on the question shall said bill be committed to a committee of the whole House for Monday next;

It passed in the affirmative.

And then the House adjourned until 2 o'clock, P. M.

*2 o'clock P. M*

The House met pursuant to adjournment.

On motion of Mr. Sands,

The several orders of the day which precede the engrossed bill from the Senate, to appropriate part of the 3 per cent. fund, were for the present postponed.

The House then resolved itself into a committee of the whole on said bill and other bills which were committed to the same committee; and after some time spent thereon, the speaker resumed the chair, and Mr. Reid reported progress and asked leave to sit again:

Which leave was not granted by the House.

Mr. Moore asked and obtained leave to introduce the following preamble and resolutions, which were read and unanimously adopted, to wit:

**WHEREAS**, the Honorable William Henry Harrison, formerly Governor of Indiana Territory, is now for the first time since his official connection with the people of this State, on a visit to the seat of Government:

*Resolved*, By the House of Representatives, of the State of Indiana, that this occasion is embraced with peculiar pleasure of tendering to Gov. Harrison, a cordial welcome, and of expressing to him their wishes for his health and happiness.

*Resolved*, That the early, numerous, and faithful services rendered by Governor Harrison to the people of the Territory and State of Indiana, have secured to him a lasting recollection in their esteem and gratitude.

*Resolved*, That the Speaker of the House of Representatives be requested to present to Governor Harrison, a copy of the foregoing resolutions.

And then the House adjourned until Monday morning at 9 o'clock.

MONDAY, JANUARY 14th, 1833.

The House met pursuant to adjournment.

The Speaker laid before the House the following correspondence between the Speaker of this House and the Hon. William Henry Harrison, to wit:

*"Indianapolis, Jan. 12th, 1833.*

SIR:—It gives me great pleasure to communicate to you, the enclosed resolutions, unanimously adopted by the House of Representatives, as an indication of the gratitude for past services, and as expressing a solicitude for your present and future health and happiness.

I have the honor to be,

Respectfully your ob'tserv't.

JOHN W. DAVIS,

*Speaker of the H. of Rep.*

HON. WILLIAM H. HARRISON, Indianapolis."

*"Indianapolis, Jan. 13, 1833.*

SIR:—Your letter under yesterday's date, covering resolutions which have been passed by the House of Representatives, in relation to my administration of the Government of Indiana when in the territorial grade, has this moment been received.

Such a testimonial, from such a body as that over which you preside, imposes on me, obligations of gratitude, which will be felt to the latest period of my life. If any thing could add to the pleasure I have received from the flattering terms in which my humble services have been mentioned, it is the circumstance of there being amongst the Representatives, some of those who were associated with me in the dangers and difficulties of the period to which the resolutions refer.

If, with their able assistance, and that of others long since departed, the foundations of the present prosperity of Indiana were laid, the superstructure which has been since erected, is worthy of the Representatives of a judicious and enlightened people.

In making this communication through you, sir, to the body over which you preside, I gladly avail myself of the occasion, to request you to accept my thanks for the kind terms in which you

have been pleased to make your communication with the assurance of my high regard and consideration.

W. H. HARRISON.

HON. JOHN W. DAVIS,

SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
State of Indiana."

On motion of Mr. McNary,

The vote taken on Saturday last, refusing the committee of the whole House to which were committed the engrossed bill from the Senate, for appropriating a part of the 3 per cent. fund, and two other bills of the House, leave to sit again, was reconsidered;

And on the question, shall said committee have leave to sit again?

It passed in the affirmative.

Mr. Heustis presented a petition of James Dill and others, citizens of Dearborn county, praying relief to the securities of David Kerr a borrower of Seminary funds;

Which was read and referred to the committee on education.

Mr. Carter of M. & C. presented a remonstrance of John Hood and others, against the present location of a State road from Jefferson, in Clinton county, to Attica, containing a prayer for a change of the same;

Which was read and referred to the committee on roads.

Mr. Stanford presented a petition of Charles Morgan and others, praying relief to certain owners of lands in Henry county, sold for taxes;

Which was read and referred to the committee on the judiciary.

Mr. Moore, from the judiciary committee to which was referred the petition of John Meek on that subject, reported a bill changing the name of the petitioner and others;

Which was read the first time and passed to a second reading.

Mr. Moore made the three following reports, which were severally read, and concurred in by the House, to-wit:

(1st.)

The committee on the judiciary, to which was referred a resolution of this House, requesting them to enquire into the expediency of authorizing called sessions of the circuit courts, in this

State, for the trial of persons charged with any criminal offence; and also, the petition of Robert Overall, charged with an assault and battery, with intent to kill; and Washington and Butler Allensworth, charged with murder, confined in the jail of Spencer county, praying a special term of the said circuit court of Spencer county, for their trial, have had the same under consideration, and are of opinion that it is inexpedient, either to legislate upon the subject contained in the resolution, or to grant the prayer of the petitioners; therefore, pray to be discharged.

(2d.)

The committee on the judiciary, to which was referred the petition of the administrators, guardians, and heirs of Jesse Lane, dec'd, praying the enactment of a law, appointing an agent to complete the location of the town of Uniontown, in Boon county, in this State, laid out by the said Lane, in his life time, causing the same to be recorded, and legalizing the sale of lots therein, and enabling the administrator to collect the debts due for lots sold to purchasers in said town, by action of debt, have had the same under consideration, and are of opinion, that the existing law is sufficient for all the purposes contemplated, and that if the same were even not so, special legislation upon the subject, so far as the facts necessary to enable the committee to understand the object of the petitioners, are collectable from the petition, would be improper, inasmuch as it might interfere with vested or private rights; the committee therefore, pray to be discharged.

(3d.)

The committee on the judiciary, to which was referred the petition of sundry citizens of St. Omer, in Adams township, in the county of Decatur, in this State, praying that a law may be passed, authorizing the election of an additional justice of the peace, in said township, to reside at said town of St. Omer, in said county, are of opinion, that the prayer of the petitioners ought not to be granted, and ask to be discharged from the further consideration of this subject.

Mr. Moore, from the committee on the judiciary to which was referred a petition on that subject, reported a bill for the relief of the heirs of — Major, dec'd;

Which was read the first time and passed to a second reading.

Mr. Lane made the following report:

The committee on roads to which was referred a petition and two remonstrances on the subject of relocating so much of the New Albany and Vincennes State road, as lies between mile



posts 22 and 23 have had the same under consideration and have directed me to report that it is inexpedient to legislate on that subject, and ask to be discharged from the further consideration of the same;

Which was read, and concurred by the House.

Mr. Slaughter, from the select committee, to which was referred the engrossed joint resolution from the Senate, authorizing a subscription for the 2d volume of Blackford's reports, reported the same with five amendments;

Which were read, and

The first of said amendments was disagreed to by the House, and in the residue of said amendments the House concurred.

On motion of Mr. Dunn,

The said joint resolution was further amended by authorizing a subscription for 25 additional copies.

The question was then put,

Shall said amendments be engrossed and the joint resolution read a third time to-morrow?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Bradley, Bryant, Buell, Carter of C., Clark, Claypool, Cox, Cravens, Crawford, Culley, Daniel, Dunn, Edwards, Ferguson of C., Finch, Goodbar, Hanna, Howell, Huntington, Lane, Levenworth, Lewis, Livingston, Lowe, Mastin, M<sup>r</sup>. Junkin, M<sup>r</sup>. Nary, Mitchell, Moore, Osborn, Palmer, Payne, Peyton, Proffit, Rariden, Reid, Ribble, Roop, Shortridge, Skeen, Slaughter, Stanford, Vawter, Wilson, and Davis, Speaker—47.

*And those who voted in the negative are,*

Messrs. Boyd, Bradbury, Carter of O., Cristler, Crume, Davis of Sh<sup>y</sup>, Ferguson of U., Fowler, Hamilton, Hargrove, Henley, Heustis, Parker, Parks, Pruett, Ruddick, Sands, Schoonover, Smith, Steele, Wallace, Watt, Wooden and Woodruff—24.

So it was,

Ordered, That said amendments be engrossed, and the joint resolution read a third time to-morrow.

Mr. Cravens, from the select committee to which was referred a resolution of the House on that subject, reported a bill to amend the existing law, providing for the election of Representatives in Congress;

Which was read the first time and passed to a second reading.

Mr. Crawford, from the select committee to which was referred the petition of Lewis Davis and others, on that subject, reported a bill to locate and establish a State road in Elkhart county, from the Forth Wayne road, near Stephen Stutsman's by the way of the mouth of the Elkhart river, to the State line, in the direction of Edwardsburgh in Michigan Territory;

Which was read the first time and passed to a second reading.

Mr. Fowler, from the select committee to which was referred a petition on that subject, reported a bill attaching a part of Shelby county, to the county of Decatur;

Which was read the first time and passed to a third reading.

Mr. Crume, from the select committee to which was referred the petition of George Livingston and others, on that subject, reported a bill to locate the Alquina State road;

Which was read the first time and passed to a second reading.

Mr. Lowe, from the select committee to which was referred the petition of Wm. Lightfoot, reported a bill for the relief of the petitioner;

Which was read the first time and passed to a second reading.

Mr. Ribble, from the select committee to which was referred the petition of sundry citizens of Delaware county on that subject reported a bill to locate a State road from Delphi to Munceytown;

Which was read the first time and passed to a second reading.

Mr. Parker from the joint committee of enrolled bills reported, that they had compared the enrolled with the engrossed bills, entitled:

An act to more permanently establish the boundary line between the counties of Vermillion and Warren;

An act for the relief of Vincent Dufour, heir of John James Dufour, deceased;

An act to establish the county line between the counties of Madison, Hancock and Henry; and,

An act to establish a State road from the Ohio line to Dalton near the west boundary of Wayne county;

And find the same truly enrolled:

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Proffit, from the select committee to which was re-committed a resolution of the House on that subject, reported a bill to provide for taking the valuation of taxable property, in the State, preparatory to the introduction of the ad valorem system of taxation;

Which was read the first time and passed to a second reading.

On motion of Mr. Palmer,

The vote taken on the adoption of the resolution reported by the judiciary committee on Saturday last, relating to charges preferred against Joseph M'Kinney, clerk of the Bartholomew circuit court, by Wm. S. Jones, was reconsidered, and

On motion of Mr. Hanna,

The further consideration thereof was indefinitely postponed.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate concurs in the amendment proposed by the House, to the engrossed memorial and joint resolution of the Senate, soliciting Congress to appropriate land or money sufficient to improve the navigation of the Wabash and White rivers, with an amendment;

In which amendment of the Senate the concurrence of the House of Representatives is requested.

The amendment made by the Senate to the amendment of the House to the engrossed memorial and joint resolution of the Senate named in said message,

Was read and agreed to by the House.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Rariden, from the select committee to which was re-committed the engrossed bill to amend the act entitled an act to organize probate courts and defining the powers and duties of executors, administrators, and guardians, approved February 10, 1831; reported the same with one amendment, which amendment provided for repealing the 47th section of act above named.

And on the question to concur in said amendment—

The ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Bryant, Buell, Dunn, Edwards, Ferguson

of C., Ferguson of U., Goodbar, Lane, Levenworth, M'Junkin, Mitchell, Rariden, Reid, Slaughter and Steele—16.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradley, Carter of M. & C., Carter of O., Clark, Claypool, Cox, Cravens, Crawford, Crstler, Crume, Culley, Daniel, Davenport, Davis of Sh'y, Finch, Fowler, Hamilton, Hanna, Henley, Heustis, Howell, Huntington, Lewis, Livingston, Lowe, Mastin, M'Nary, Moore, Osborn, Palmer, Parks, Payne, Peyton, Proffit, Pruett, Ribble, Roop, Ruddick, Sands, Schoonover, Shortridge, Skeen, Stanford, Vawter, Wallace, Watt, Wilson, Wooden, Woodruff and Davis, Speaker—52.

So said amendment was not agreed to by the House.

On motion of Mr. Cravens,

Said bill was re-committed to a committee of the whole House for to-morrow.

On motion of Mr. Dunn,

*Resolved*, That the Adjutant General be requested to inform this House, whether any Major General was in command of the 22d Brigade, Indiana militia, at the time he, the said Adjutant, ordered the election in said Brigade for Brigadier General thereof.

On motion of Mr. Crawford,

*Resolved*, That the committee on the Michigan road be instructed to enquire into the propriety of allowing James Morrison, esq., an adequate compensation for extra services rendered by him in relation to said road, while acting as secretary of State.

Mr. Proffit moved the following resolution:

*Resolved*, That a select committee be appointed whose duty it shall be to report a joint resolution, expressive of the deep interest felt by the people of the State of Indiana in the establishment of a national Bank, which, without adding to the Executive power, will ensure a safe and sound national currency.

And on the question to adopt the same —

The ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Cristler, Crume, Hamilton, Hanna, Howell, Lewis, Lowe, Moore, Palmer, Proffit, Rariden, Reid, Shortridge, Smith, Stanford, Steele, Vawter and Wilson—19.



*And those who voted in the negative are*

Messrs. Bell, Boyd, Bradley, Bryant, Buell, Carter of M. & C., Carter of O., Clark, Claypool, Cox, Cravens, Crawford, Culley, Daniel, Davenport, Davis of Sh'v, Dunn, Edwards, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Henley, Heustis, Huntington, Lane, Levenworth, Livingston, Mastin, M'Junkin, M'Nary, Mitchell, Osborn, Parks, Payne, Peyton, Pruett, Ribble, Roop, Ruddick, Sands, Schoonover, Skeen, Slaughter, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—50.

So said resolution was not adopted.

On motion of Mr. Hanna,

*Resolved*, That the Adjutant General be instructed to inform this House, whether or no, he did or did not, by an order, simultaneously with that which he issued setting off the 22d Brigade, Indiana militia, attach the said Brigade to the 9th division, under the command of Major General Amaziah Morgan.

Mr. Vawter, after having obtained leave, presented a bill supplemental to an act for assessing and collecting the revenue, approved February 10th, 1831;

Which was twice read (the rules of the House having first been dispensed with.) and committed to the same committee of the whole House, to which are committed other bills on the same subject.

Mr. Payne, after having obtained leave, presented a bill changing the mode of elections, of the General Assembly;

Which was read the first time and passed to a second reading.

Mr. Fersuson of U., after having obtained leave, presented a bill to establish a State road from Fairfield in Franklin county, to West Union, in Fayette county;

Which was read the first time and passed to a second reading.

Mr. Carter of O., after having obtained leave, presented a bill to amend an act entitled an act to regulate the mode of doing county business in the several counties in this State, approved January 19th, 1831;

Which was read the first and second times; and

On motion of Mr. Schoonover,

Committed to a committee of the whole House for to-morrow.

Mr. Hanna, after having obtained leave, presented a bill to amend the act for the relief of purchasers of lots in the town of Indianapolis, which have become forfeited to the State;

Which was read the first time and passed to a second reading.

Mr. Wallace, after having obtained leave, presented a bill

to amend an act entitled an act for the location of a State road from Wood's ferry, on the east branch of White river in Lawrence county, to Bloomfield in Green county, approved January 24th, 1832;

Which was read the first time and passed to a second reading.

Mr. Carter of O., after having obtained leave, presented a bill to amend an act entitled an act to license and regulate taverns and groceries;

Which was read the first time, and

On motion of Mr. Lane,

The same was rejected.

The House then proceeded to consider the orders of the day.

On motion of Mr. Schoonover,

The several orders of the day which preceded the bill to provide for the sale of certain lands therein named, were for the present postponed.

The said bill was then committed to a select committee of Messrs. Schoonover, Clark, Carter of O. and Parks, with instructions to amend the same so as to provide that there be appointed a commissioner in each of the counties of Washington, Orange and Monroe, to sell such of the lands as lie in each of the aforesaid counties respectively, and that such commissioner be required to give bond with security, in a sum proportional to the quantity and value of the lands which he is authorized to sell, and further to amend the same by so changing the bill as to make its provisions correspond with the foregoing.

On motion of Mr. Lane,

The several orders of the day which precede the engrossed bill from the Senate, to appropriate part of the three per cent. fund, were for the present postponed; and

The House again resolved itself into committee of the whole on said bill, and others committed to the same committee, and after some time spent therein, the Speaker resumed the chair, and Mr. M'Nary reported the same with sundry amendments and asked the concurrence of the House, and

Before any question was taken thereon;

The House adjourned until 2 o'clock P. M.

*2 o'clock, P. M.*

The House met pursuant to adjournment,

And resumed the consideration of the engrossed bill from the Senate, to appropriate a part of the 3 per cent. fund, and the accompanying bills of the House;

And on the question, will the House concur generally in the amendments made in the committee of the whole to said engrossed bill?

It was carried in the affirmative.

On motion of Mr. Goodbar,

Said bill was further amended by adding the following as an additional section, to-wit:

Sec. — Be it further enacted, that the sum of \$100, out of the said sum of \$500, appropriated by the 1st section of this act, to the county of Montgomery, be, and the same is hereby appropriated to the improvement of so much of the State road leading from Green Castle, in the county of Putnam, in the direction of Crawfordsville, in the county of Montgomery, as lies within the said county of Montgomery, commencing at the county line of Putnam, running from thence through the Black swamp, to Crawfordsville, in the said county of Montgomery—and that John Drennen is appointed commissioner, to expend the same; *Provided* however, that if the said county of Putnam, does not locate the bridge designated by the ——— section of this act, at the crossing of Walnut creek in said county, on the State road from Green Castle to Crawfordsville, this section to be null and void."

On motion of Mr. Stanford,

The bill was further amended by adding the following as an additional section, to-wit:

"Sec. — That the board doing county business, in the county of Hancock, be, and they are hereby authorized to allow and pay Brice Dille, Adam Winsel and Elias Hoddly, commissioners heretofore appointed to locate a State road from Knightstown, in Henry county, to Strawtown in Hamilton county, a due proportion of the expense of locating said road according to the distance it may pass through said county of Hancock, to be paid out of any money appropriated to said county, by the provisions of this act."

Mr. Howell moved to amend the 29th sec. of the bill by inserting after the word "Perry" the words "and Spencer."

Mr. Payne moved to amend said amendment, by prefixing the word "State" to the word "road," in the same clause;

Which motion passed in the affirmative.

The said amendment as amended was then agreed to.

Mr. Steele moved a further amendment to said bill by adding to the 1st sec. thereof the following proviso, to-wit:

"*Provided*, That the board doing county business, for the county of Wayne, be and the same is hereby authorized, to appropriate

ate her portion of the three per cent. fund, to such public roads as said board may deem most expedient."

Mr. Cravens moved to amend said amendment by embracing the county of Jefferson, in its provisions;

Which motion did not prevail.

The question recurred on the said amendment of Mr. Steele—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Buell, Cravens, Culley, Daniel, Dunn, Edwards, English, Goodbar, Hamilton, Hargrove, Henley, Heustis, Howell, Lane, Levenworth, Lewis, Mastin, Mitchell, Osborn, Parker, Proffit, Rariden, Ribble, Sands, Skeen, Steele, and Wooden,—28.

*And those who voted in the negative are,*

Messrs. Bell, Bradley, Bryant, Carter of M. & C., Carter of O., Clark, Claypool, Cox, Crawford, Cristler, Crume, Davenport, Davis of Sh'y, Ferguson of C., Ferguson of U., Finch, Fowler, Hanna, Huntington, Lowe, M'Junkin, M'Nary, Palmer, Parks, Payne, Peyton, Pruett, Reid, Roop, Ruddick, Schoonover, Shortridge, Smith, Stanford, Vawter, Wallace, Watt, Woodruff and Davis, Speaker—39.

So said motion to amend was decided in the negative.

Mr. Cravens moved further to amend said bill in the second section thereof, which directs the general application of the funds by said bill, appropriated to State roads, &c., by striking out the word "State" and inserting in lieu thereof, the words "leading public."

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Cravens, Culley, Daniel, Dunn, English, Hamilton, Hargrove, Henley, Howell, Lane, Lewis, Mitchell, Palmer, Parker, Proffit, Rariden, Skeen, Steele, and Davis, Speaker—20.

*And those who voted in the negative are,*

Messrs. Bell, Bradley, Buell, Carter of M. & C., Carter of O.,



Clark, Claypool, Cox, Crawford, Cristler, Crume, Davenport, Davis of Sh'y, Edwards, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Hanna, Heustis, Huntington, Levenworth, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Osborn, Parks, Payne, Peyton, Pruett, Reid, Ribble, Roop, Ruddick, Sands, Schoonover, Shortridge, Smith, Stanford, Vawter, Wallace, Watt, Wooden and Woodruff—47.

So said motion was decided in the negative.

On motion of Mr. M'Junkin,

The 27th section of said bill which directs the application of the Monroe county fund was amended by prefixing the word "State" to the word "roads" and by inserting after the word "bridges," these words "on State roads."

Mr. M'Junkin moved further to amend the bill, by striking out the 17th section, which authorizes the boards of commissioners of the counties of Dubois, Pike and Gibson, to apply their respective proportions of the fund, to the removal of obstructions to navigation, the erection of bridges, or to the opening and improving of such "roads" in their respective counties, as they may deem best calculated to promote public convenience, and best to comport with the public interest.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Clark, Cox, Cristler, Crume, Ferguson of C., Fowler, Hanna, Howell, Huntington, Lowe, M'Junkin, M'Nary, Palmer, Payne, Peyton, Pruett, Reid, Roop, Ruddick, Sands, Schoonover, Smith, Vawter, Wallace, Watt and Woodruff—26.

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Bradley, Bryant, Carter of M. & C., Carter of O., Claypool, Cravens, Crawford, Culley, Daniel, Davenport, Davis of Sh'y, Dunn, Edwards, English, Ferguson of U., Finch, Goodbar, Hamilton, Hargrove, Henley, Heustis, Lane, Levenworth, Lewis, Livingston, Mastin, Mitchell, Osborn, Parker, Parks, Proffit, Rariden, Ribble, Shortridge, Skeen, Slaughter, Stanford, Steele, Wooden and Davis, Speaker—12.

So said motion was decided in the negative.

On motion of Mr. Hewell,

The 29th section of said bill was further amended by inser-

ting after the word, "bridges" these words, "or the improvement of such navigable streams."

Mr. Huntington moved further to amend the bill by adding the following as an additional section, viz:

"Sec. — That the sum of ten thousand dollars, of the three per cent fund, not herein set apart to the several counties, be and the same is hereby appropriated for the improvement of the navigation of the the Wabash river, between its mouth and the southern termination of Wabash and Erie canal, to be used in conjunction with other funds, heretofore set apart by this State, and the State of Illinois, for the same purpose, and applied under the direction of the legislatures of said States."

Mr. Henley moved to amend said proposed amendment by striking out the words "three per cent fund" and inserting the words "canal fund";

Which motion did not prevail.

Mr. Rariden moved to amend the said amendment, by adding to it the following:

"*Provided*, That the counties bordering on the Wabash river, shall contribute the amount due them by this bill, and hereafter and until the work is completed, to accrue to them from the 3 per cent. fund, to the same object."

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Clark, Cravens, Cristler, Davenport, Davis of Shy Ferguson of C., Hamilton, Heustis, Lane, Levenworth, Lewis, Lowe, Palmer, Parker, Parks, Proffit, Rariden, Smith, and Wilson—20.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradley, Bryant, Buell, Carter of M. & C., Carter of O., Claypool, Cox, Crawford, Crume, Culley, Daniel, Dunn, Edwards, English, Ferguson of U., Finch, Fowler, Goodbar, Hanna, Hargrove, Henley, Howell, Huntington, Livingston, Mastin, M'Junkin, M'Nary, Mitchell, Osborn, Payne, Peyton, Pruett, Reid, Ribble, Roop, Ruddick, Sands, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Steele, Vawter, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—51.

So said motion was decided in the negative.

Mr. Dunn moved to amend said amendment, by striking out

of the first clause thereof, these words, "that the sum of \$10,000," and inserting in their place the following:

"That such sum not exceeding \$10,000 as with the funds already set apart for that purpose, will be equal to the sum that has or shall be appropriated for the same purpose, by the State of Illinois;"

Which motion did not prevail.

Mr. Proffit moved to amend the said amendment by adding thereto the following:

"And that a like sum be appropriated to the improvement of the navigation of the two White rivers, to their junction with the Wabash."

Which motion was decided in the negative.

The question recurred on the said amendment, moved by Mr. Huntington,

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bryant, Buell, Claypool, Crawford, Crume, Durn, Finch, Goodbar, Huntington, Livingston, Osborn, Parker, Pruett, Shortridge, Slaughter, Wilson, Wooden and Davis, Speaker—18.

*And those who voted in the negative, are*

Messrs. Bell, Boyd, Bradbury, Bradley, Carter of M. & C., Carter of O. Clark, Cox, Cravens, Cristler, Culley, Daniel, Davenport, Davis of Sh'y, Edwards, English, Ferguson of C., Ferguson of U., Fowler, Hamilton, Hanna, Hargrove, Henley, Heustis, Howell, Lane, Levenworth, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Palmer, Parks, Payne, Peyton, Proffit, Rariden, Reid, Ribble, Roop, Ruddick, Sands, Schoonover, Skeen, Smith, Stanford, Steele, Vawter, Wallace, Watt and Woodruff—53.

So said motion to amend did not prevail.

Mr. Payne moved to amend the 17th section of the bill, which directs the application of the Dubois, Pike and Gibson fund, by prefixing the word "State" to the word "roads," and by inserting after the word "bridges," the words "on State roads."

Debate arising thereon,

The previous question was called for by Mr. Lane and seconded by two members;

And it was thereupon put, to-wit:

Shall the main question be now put?

The ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Clark, Cravens, Crawford, Culley, Daniel, Edwards, English, Hamilton, Hargrove, Henley, Heustis, Lane, Mitchell, Parker, Parks, Rariden, Skeen, Watt, Wooden, Woodruff and Davis, Speaker—21.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Carter of O., Claypool, Cox, Crstler, Crume, Davenport, Davis of Sh'y, Dunn, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Hanna, Howell, Huntington, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Osborn, Palmer, Payne, Peyton, Pruett, Reid, Ribble, Roop, Ruddick, Sands, Schoonover, Shortridge, Slaughter, Smith, Stanford, Steele, Vawter, Wallace, and Wilson—49.

So said previous question was decided in the negative.

The amendment reported by the same committee of the whole, to the bill appropriating \$100 out of the money appropriated to the county of Putnam, to build a bridge across the Big Walnut fork of Eel river, in said county of Putnam,

Was read and agreed to; and

On motion of Mr. Sands,

*Ordered*, That the said bill do lie on the table.

The amendment reported by the same committee of the whole to the bill to establish a State road from the Tobacco landing, in Harrison county, by the way of Laconia, to Corydon, in said county, and for other purposes,

Was read and agreed to by the House.

*Ordered*, That said bill be engrossed, and read a third time tomorrow.

Mr. Bryant, from the joint committee on enrolled bills report that they have compared the enrolled with the engrossed bills and joint resolutions of the following titles, to-wit:

An act authorizing the expenditure of the three per cent. fund heretofore appropriated to the counties of Huntington and Wabash;

An act appropriating \$387.86½ cents, for the payment of the subscribers to the building of the State Prison;

An act to locate a State road from Stilesville by the way of New Maysville to Crawfordsville;

An act for the relief of William Richards, road commissioner, and for other purposes;



A joint resolution of the General Assembly of the State of Indiana, to urge the speedy survey and sale of lands recently obtained, by treaty concluded with the Potawattomie Indians, and the establishment of a new Land district and Office to dispose of said lands north of the Wabash river; and

A joint resolution of the General Assembly relative to the public lands.

And find the same truly enrolled;

Whereupon,

The Speaker signed said bills and joint resolutions.

*Ordered*, That the clerk carry them the Senate for the signature of their President.

Mr. Henley moved that the several orders of the day, that precede the bill for the establishment of a State bank be for the present postponed, and that the House do now consider said bill;

Which motion was decided in the negative.

The House then proceeded to consider bills on their third reading.

The engrossed bill to incorporate the Christian College, at New Albany, Indiana,

Was read the third time.

Mr. Mitchell moved to lay said bill on the table;

Which motion was decided in the negative.

Mr. Proffit moved to refer said bill to a select committee, with instructions to strike out so much thereof as prohibits the teaching of sectiarian tenents;

And before the question was put thereon—

On motion of Mr. Lane,

It was

*Ordered*, That said bill and proposed amendment do lie on the table.

The engrossed bill from the Senate to locate a State road from Montezuma, to intersect the State road from Danville to Mantezuma,

Was read the third time.

Mr. Pruett moved to recommit said bill to a select committee, with instructions to amend the same by incorporating the following, to-wit:

“Sec.—That when the commissioner aforesaid, shall have viewed, located and marked said road, and shall have filed a report thereof, in the clerks office of the board doing county business, in the county of Parke, it shall be the duty of the board at their first meeting thereafter, to appoint three disinterested farmers, in the neighbourhood, who, after having been sworn for that purpose, shall assess the damages that Samuel Hill, sen. will sus-

tain, by said road's running through his land, and make a report thereof, to the board of commissioners, at theirs next session.

“Sec. — It shall be optional with the board doing county business, whether to accept or reject the road on the report of the persons appointed to assess the damages aforesaid. If the commissioners accept the road, the county shall pay the assessed damages. If the commissioners reject, the road shall not be accounted a State road, but shall remain as though no legislation had been had thereon.”

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Bradley, Carter of M. & C., Carter of O., Clark, Culley, Davenport, Davis of Sh'y, Edwards, English, Hamilton, Hanna, Heustis, Levenworth, Mitchell, Palmer, Pruet, Reid, Roop, Smith, Stanford, Steele, Wilson, and Davis, Speaker—25.

*And those who voted in the negative are,*

Messrs. Bradbury, Bryant, Buell, Claypool, Cox, Cravens, Crawford, Cristler, Crume, Dunn, Ferguson of U., Fowler, Goodbar, Hargrove, Howell, Lane, Lewis, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Moore, Osborn, Parker, Parks, Payne, Proffit, Ribble, Ruddick, Sands, Schoonover, Shortridge, Slaughter, Vawter, Wallace, Watt, Wooden and Woodruff—39.

So said motion was decided in the negative.

The question then was put, shall said bill pass?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Carter of O., Claypool, Cox, Cravens, Crawford, Cristler, Crume, Davenport, Dunn, Edwards, English, Ferguson of U., Fowler, Goodbar, Hanna, Hargrove, Heustis, Howell, Lane, Lewis, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Moore, Osborn, Palmer, Parker, Parks, Payne, Reid, Ribble, Sands, Schoonover, Shortridge, Skeen, Slaughter, Smith, Steele, Vawter, Wallace, Wooden, and Woodruff—52.

*And those who voted in the negative are,*

Messrs. Clark, Culley, Davis of Sh'y, Hamilton, Levenworth, Pruett, Roop, Ruddick, Stanford, Watt, Wilson and Davis, Speaker—12.

So said bill passed.

*Ordered,* That the clerk inform the Senate thereof.

Engrossed bills of the House of the following title, to-wit:

A bill for the establishment of a State road from Covington to Russellville;

A bill to establish certain State roads therein named; and

A bill to vacate part of a certain State road therein named;

Were severally read the third time and passed.

*Ordered,* That the same be entitled acts, and that the clerk carry them to the Senate and ask their concurrence.

The engrossed bill to provide for building school houses, in congressional township No. 17, north of range 9 west in the county of Vermillion;

The engrossed bill supplemental to an act entitled an act to locate a State road from Merom, in Sullivan county, to a point on the Terre Haute and Bono State road, approved January 02th, 1832, and

The engrossed bill for the location of a State road from Chambersburgh, in Fountain county, to Williamsport, in Warren county;

Were severally read a third time and passed.

*Ordered,* That they be entitled acts, and that the clerk carry them to the Senate and ask their concurrence.

The engrossed bill from the Senate to change a part of the State road from Levenworth's mill to Orleans in Orange county, Was read the third time and passed.

*Ordered,* That the clerk inform the Senate thereof.

On motion of Mr. Lane,

The several orders of the day which precede the bill changing the time for holding the circuit courts in the 1st, 2d, 4th, 5th and 6th judicial circuits, were for the present postponed.

The said bill was then read the second time.

On motion of Mr. Lane,

The bill was amended by striking out the 3d section thereof, and inserting in lieu of it the following, viz:

"That the circuit courts of the 4th judicial circuit, of this State, shall be holden therein on the days following, to-wit: in

the county of Dubois, on the 3d Mondays of February and August; in the county of Pike, on the 4th Mondays of February and August; in the county of Gibson, on the first Mondays of March and September; in the county of Posey on the 2d Mondays of March and September; in the county of Vanderburgh on the 4th Mondays of March and September; in the county of Warrick, on the 1st Mondays of April and October; in the county of Spencer on the 2d Mondays of April and October; in the county of Perry, on the 3d Mondays of April and October; and in the county of Crawford, on the 4th Mondays of April and October. Said courts, at each term thereof, shall sit six days in each of said counties, if the business require it; except in the county of Posey, where it shall sit twelve days, if the business require it."

On motion of Mr. Bell,

The 4th section of said bill was amended, by adding the following:

"The courts in the 5th judicial circuit shall commence their sessions on the days following: In the county of Hancock, on the 3d Mondays of February and August; in the county of Shelby, on the 4th Mondays of February and August; in the county of Bartholomew, on the Mondays succeeding the courts in Shelby; in the county of Johnson, on the Mondays succeeding the courts in Bartholomew; in the county of Marion, on the Mondays succeeding the courts in Johnson; in the county of Morgan, on the Mondays succeeding the twelve days allotted to the courts of Marion; in the county of Hendricks, on the Mondays succeeding the courts in Morgan; in the county of Boon, on the Mondays succeeding the courts in Hendricks; in the county of Hamilton, on the Mondays succeeding the courts in Boon; and in the county of Madison, on the Mondays succeeding the courts in Hamilton; and the courts at each term thereof, shall sit six days, in each of said counties, if the business thereof require it, except in the counties of Marion and Madison, to each of which are allotted twelve days, if the business require it."

On motion of Mr. Bryant,

Said bill was further amended, by adding the following as an additional section, to-wit:

"Sec. — *Be it further enacted*, That the time for holding the circuit court in the county of Clay, in the 7th judicial circuit, of Indiana, be, and the same is hereby extended to six days at each term thereof, if the business therein shall require it, any law to the contrary notwithstanding."

A motion was made by Mr. Mitchell, further to amend the bill, so as to provide that the courts in the county of Harrison,



be held on the first Monday in June and second Monday in November, in each year.

Pending the question thereon; it was,

On motion of Mr. Henley,

*Ordered*, That said bill and proposed amendment do lie on the table.

And then the House ajourned until to-morrow morning at 9 o'clock.

## TUESDAY, JANUARY 15th, 1833.

The House met pursuant to adjournment.

The following message was received from the Senate by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed an engrossed bill from the House of Representatives entitled "an act appointing a commissioner on roads No. 10 and No. 26, and authorizing the expenditure by him of the balance due said roads; with amendments; also,

Engrossed bills of the Senate, entitled as follows to wit:

An act to locate a State road from Delphi to Munceytown; and

An act supplemental to an act entitled, "an act to provide for selling the Michigan road lands; to open that part of the Michigan road between Logansport and Lake Michigan, and for other purposes;" approved Feb. 2d, 1832;

In which bills of the Senate, and the amendments proposed to the bill of the House, the concurrence of the House of Representatives is requested.

The amendments of the Senate proposed to the engrossed bill of the House, named in said message,

Was read and agreed to by the House.

*Ordered*, That the clerk inform the Senate thereof.

The engrossed bills of the Senate named in said message,  
Were severally read the first time and passed to a second reading.

Mr. Steele having obtained leave, moved the following resolution:

*Resolved*, That the judiciary committee be instructed to enquire whether the fifth section of the act regulating taverns and groceries, will enable the citizens of all the towns whatever, in this State, to remonstrate against groceries, or if in their opinion, the fifth section as it now reads, is only applicable to incorporated towns, and report accordingly;

Which was read and adopted.

On motion of Mr. Dunn,

The several orders of the day which precede the bill for the establishment of a State Bank, were for the present postponed, and the House proceeded to consider said bill.

The several amendments reported by the committee of the whole to said bill, except the 7th, 8th and 25th, of said amendments, were read and agreed to; and to the said three last named amendments the House disagreed.

Mr. Reid moved further to amend said bill by striking out the 25th section thereof.

Mr. Palmer moved to amend said section, by limiting the loan therein authorized, to three years instead of five;

Which motion passed in the affirmative.

On motion of Mr. Dunn,

The said section was further amended by striking out the words "ten per centum," (being the amount of principal payable semi-annually) and inserting in lieu thereof "one sixth."

On motion of Mr. Hanna,

The vote taken on the above amendment of Mr. Palmer, was reconsidered;

The question recurring thereon, it was put,

And decided in the negative.

On motion of Mr. Dunn,

The vote taken on the above amendment proposed by him to said section, was reconsidered; and

The question being again put on said amendment,

It was decided in the negative.

Mr. Henley moved to amend said section, by striking out from the second line the following: "without withdrawing their funds from present investment;"

Which motion was decided in the negative.

The question then recurred on the motion of Mr. Ried, to strike out the 25th section;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Claypool, Culley, Daniel, Ferguson of U., Hamilton, Hargrove, Henley, Howell, Lane, Lowe, Parker, Payne, Peyton, Proffit, Rariden, Reid, Smith, and Steele—19.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradley, Bryant, Buell, Carter of M. & C., Clark, Cox, Cravens, Crawford, Cristler, Crume, Davenport, Davis of Sh'y, Dunn, Edwards, English, Ferguson of C., Finch, Fowler, Goodbar, Hanna, Heustis, Levenworth, Lewis, Livingston, Mastin, M'Junkin, M'Nary, Mitchell, Moore, Osborn, Palmer, Parks, Pruett, Ribble, Roop, Ruddick, Shortridge, Skeen, Slaughter, Stanford, Vawter, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—48.

So said motion was decided in the negative.

Mr. Proffit moved further to amend said bill by striking out the word "nine," (being the number of branches,) and inserting the number "five" in lieu thereof.

Mr. Crume moved to amend the amendment, by inserting the number three instead of five; which Mr. Proffit accepted as a modification of his proposed amendment; and before the question was put thereon,

The House adjourned until 2 o'clock P. M.

*2 o'clock P. M.*

The House met pursuant to adjournment.

Mr. Bryant, from the joint committee on enrolled bills reported, that they did on this day present to the Governor for his approval and signature, bills of the following titles to wit:

An act to establish a State road from the Ohio line, to Dalton, near the west boundary of Wayne county;

An act to establish the county line between the counties of Madison, Hancock and Henry;

An act for the relief of Vincent Dufour, heir of John James Dufour, deceased;

An act to more permanently establish the boundary line between the counties of Vermillion and Warren;

An act to locate a State road from Stilesville, by the way of New Mayssville, to Crawfordsville;

An act for the relief of William Richards, road commissioner, and for other purposes;

An act to authorize the expenditure of that part of the 3 per cent. fund heretofore appropriated to the counties of Huntington and Wabash;

An act appropriating \$387 86½ cents for the payment of the subscribers to the building of the State prison;

A joint resolution of the General Assembly of the State of Indiana, to urge the speedy survey and sale of lands recently obtained by treaty concluded with the Pottawatamie Indians, and the establishment of a new Land District and office, to dispose of said lands, north of the Wabash river; and,

A joint resolution of the General Assembly relative to the Public Lands.

The House resumed the consideration of the bill for the establishment of a State Bank.

The question recurred on the motion of Mr. Proffit, to reduce the number of branches to three, depending at the last adjournment.

A division of the question being called for, it was put on striking out;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Claypool, Crume, Ferguson of C., Ferguson of U., Hamilton, Hanna, Hargrove, Howell, Lewis, Lowe, Payne, Peyton, Proffit, Rariden, Reid, Roop, Smith, Stanford, Steele, Woodruff and Davis, Speaker—22.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradley, Bryant, Buell, Carter of M. & C., Clark, Cox, Cravens, Crawford, Culley, Daniel, Davenport, Davis of Sh'y, Dunn, Edwards, English, Finch, Fowler, Henley, Heustis, Huntington, Levenworth, Livingston, Mastin, M'Junkin, M'Nary, Mitchell, Moore, Osborn, Palmer, Parks, Pruett, Ribble, Ruddick, Schoonover, Shortridge, Skeen, Slaughter, Vawter, Wallace, and Woodson—42.



So said motion was decided in the negative.

Mr. Steele moved to strike out the 53d section of said bill, which reads as follows:

"That for the purpose of providing funds on the part of the State, to pay her subscription to the bank and branches, herein contemplated; the commissioners of the canal fund are hereby authorized and directed to contract a loan on the part of this State, of eight hundred thousand dollars, or so much thereof as may be required for the purposes in this act contemplated, at a rate of interest not exceeding five per cent. per annum, redeemable after twenty years, and within thirty years at the pleasure of the State; for the payment of which, and the interest thereon, the faith of the State is hereby irrevocably pledged; and to issue bonds payable to order or bearer for the same, signed by said commissioners under the seal of the State, countersigned by the Secretary of State, whose duty it shall be to attest the same and to affix his seal to the same without charge: said bonds to be so negotiated as not to be on interest until the money shall be required for the bank and such branches as may be organized and established as contemplated by this act. The interest to be paid at such times, and with the principal, at such place, as may be agreed upon with the contractors."

Mr. Crume moved to postpone the further consideration of said bill until the second Monday in December next;

And after discussion thereon,

The House adjourned until to-morrow morning at 9 o'clock.

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### WEDNESDAY, JANUARY 16th, 1833.

The House met pursuant to adjournment.

Mr. Bryant, from the joint committee of enrolled bills, reported that they had compared the enrolled with the engrossed memorials and joint resolution entitled:

A memorial and joint resolution of the General Assembly of the State of Indiana, soliciting Congress to appropriate land or money sufficient to improve the navigation of the Wabash and White rivers,

And find the same truly enrolled.

Whereupon,  
The Speaker signed said memorial and joint resolution.

*Ordered*, That the clerk carry it to the Senate for the signature of their President.

Mr. Howell moved to take up the bill changing the times for holding the circuit courts in the 1st, 2d, 4th, 5th, and 6th judicial circuits laid on the table on the 14th inst.;

Which motion was decided in the negative.

On motion of Mr Dunn,

The several orders of day which precede the bill for the establishment of a State bank, were for the present postponed; and the House proceeded to consider said bill, and resumed the consideration of Mr. Crume's motion, to postpone until the 2d Monday in December next, depending at the adjournment of last evening.

After discussion thereon,

The House adjourned until 2 o'clock P. M.

*2 o'clock, P. M.*

The House met pursuant to adjournment.

A message from the Senate by Mr. Morris their Assistant Secretary:

MR. SPEAKER,

The Senate has passed without amendment an engrossed joint memorial of the House of Representatives, on the subject of a treaty with the Miami nation;

Whereupon,  
The Spesker signed said joint memorial.

*Ordered*, That the clerk carry it to the Senate for the signature of their President.

Mr. Parker from the joint committee on enrolled bills reported that they had compared the enrolled with the engrossed bills and memorial, to-wit:

An act to locate a State road from Motezuma, to intersect the State road leading from Danville to Montezuma;

An act to change a part of the State road from Levenworth's mill to Orleans in Orange county;

A act appointing a commissioner on roads No. 10 and No. 26, and

authorizing the expenditure by him of the balance due said roads, and for other purposes; and

A joint memorial on the subject of a treaty with the Miami nation;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills, and joint memorial.

Ordered, That the Clerk carry the same to the Senate for the signature of their President.

A message from the Governor, by Mr. Maguire, his private Secretary:

MR. SPEAKER,

The Governor has approved and signed a bill which originated in the House of Representatives, entitled:

An act to more permanently establish the boundary line between the counties of Vermillion and Warren.

Mr. Bryant, from the joint committee on enrolled bills reported, that they did on this day present to the Governor for his approval and signature,

A memorial and joint resolution of the General Assembly of the State of Indiana, soliciting Congress to appropriate land or money sufficient to improve the navigation of the Wabash and White rivers.

The House resumed the consideration of the bill for the establishment of a State Bank.

The question recurring on the motion of Mr. Crume, to postpone until the second Monday in December next—depending at the last adjournment;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Cristler, Crume, Edwards, Ferguson of U., Hamilton, Hargrove, Henley, Howell, Lane, Levenworth, Lowe, Parker, Payne, Peyton, Proffit, Rariden, Reid, Sands, Smith, and Wilson—21.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Buell, Bryant, Carter of M. & C., Claypool, Cox, Cravens, Crawford,

Culley, Daniel, Davenport, Davis of Sh'y, Dunn, English, Ferguson of C., Finch, Fowler, Goodbar, Hanna, Heustis, Huntington, Lewis, Livingston, Mastin, M'Junkin, Moore, Osborn, Palmer, Parks, Pruett, Ribble, Ruddick, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Steele, Vawter, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—49.

So said motion was decided in the negative.

The question then recurred on the motion of Mr. Steele, to strike out the 53d section;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Bradbury, Crawford, Cristler, Crume, Daniel, Edwards, Ferguson of U., Hamilton, Hargrove, Henley, Howell, Lane, Levenworth, Lowe, Mitchell, Parker, Payne, Peyton, Proffit, Rariden, Reid, Ribble, Schoonover, Smith, Steele, Wallace, and Wilson—28.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradley, Bryant, Buell, Carter of M. & C., Claypool, Cox, Cravens, Culley, Davenport, Davis of Sh'y, Dunn, English, Ferguson of C, Finch, Fowler, Goodbar, Hanna, Heustis, Huntington, Lewis, Livingston, Mastin, M'Junkin, Moore, Osborn, Palmer, Parks, Pruett, Roop, Ruddick, Sands, Shortridge, Skeen, Slaughter, Stanford, Vawter, Watt, Wooden, Woodruff and Davis, Speaker—42.

So said motion was decided in the negative.

Mr. Proffit moved to amend the 51st section of said bill, which section reads in the words following, to-wit: "The stock of said bank and branches shall not be taxed," by adding thereto the following, to-wit: "at a higher rate or per centum, than the legislature of this State may hereafter levy upon the stock of other corporations."

Mr. Lewis moved to amend said amendment by adding the following: "and then only for State purposes;"

Which was accepted by Mr. Proffit, as a modification of his proposed amendment.

The question being but, shall said section be so amended,

And the ayes and noes being requested thereon by two members,



*Those who voted in the affirmative, are*

Messrs. Claypool, Crawford, Cristler, Crume, Daniel, Davenport, Ferguson of C., Ferguson of U., Hamilton, Hargrove, Henley, Howell, Lane, Levenworth, Lewis, Lowe, Mitchell, Palmer, Parker, Parks, Payne, Peyton, Proffit, Pruett, Rariden, Reid, Ribble, Sands, Schoonover, Smith, Wilson, and Davis' Speaker—32.

*And those who voted in the negative, are*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Cox, Cravens, Culley, Davis of Sh'y, Dunn, Edwards, English, Finch, Fowler, Goodbar, Hanna, Heustis, Huntington, Livingston, Mastin, M'Junkin, Moore, Osborn, Roop, Ruddick, Shortridge, Skeen, Slaughter, Stanford, Steele, Vawter, Wallace, Watt, Wooden, and Woodruff—38.

So said motion to amend was decided in the negative.

Mr. Crume moved to amend said 51st section by adding thereto the following: "for two years from and after the 1st day of March next, after which time the legislature may levy such tax upon stock as they may deem reasonable."

And before any question was had thereon,

The House adjourned until to-morrow morning at 9 o'clock.

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THURSDAY, JANUARY 17, 1833.

The House met pursuant to adjournment.

The Speaker laid before the House a communication from Jacob Landis, Adjutant General, made in obedience to two resolutions of the House of Representatives, adopted on the 14th inst., requesting information relative to the 22d Brigade, Indiana Militia;

Which was read and laid on the table.

Mr. Bryant, from the joint committee of enrolled bills report:

ted that they did on yesterday present to the Governor, for his approval and signature,

An act to change a part of the State road from Levenworth's mill to Orleans, in Orange county;

An act appointing a commissioner on roads number 10, and number 26, and to authorize the expenditure by him of the balance due said roads, and for other purposes;

An act to locate a State road from Montezuma, to intersect the State road leading from Danville to Montezuma; and,

A joint memorial on the subject of a treaty with the Miami nation.

The following message was received on yesterday from the Senate, by Mr. Morris, their Assistant Secretary:

**MR SPEAKER,**

I am instructed by the Senate to inform the House of Representatives, that the Senate have passed engrossed bills of the House, of the following titles, to-wit:

An act to repeal an act entitled an act to raise additional revenue for the county of Ripley, approved January 24th, 1831;

An act to locate a state road from the Ohio line near Hillsborough, in Wayne county, to intersect the Winchester and Newcastle state road in Henry county.

An act to relocate a part of the state road from Rockport to Boonville;

An act to locate a State road from Lafayette, in Tippecanoe county, to intersect a State road leading from Delphi, in Carroll county, to Lake Michigan;

An act to establish a State road from Green-Castle, in the county of Putnam, to the county line of Parke;

An act to establish a State road from Salem in Washington county, to Leesville in Lawrence county; and

An act for the relief of James Tiller.

All of which were passed without amendment.

The Senate have also passed engrossed bills entitled acts which originated in the Senate, of the following titles, to-wit:

An act to establish a State road from Rockville, in Parke county, via the narrows of Sugar Creek, in said county, to Lafayette, in Tippecanoe county;

An act to define and establish the boundaries of the counties of Wabash and Miami; and

An act to repeal an act entitled an act to vacate the town of Owensville, approved January 3d, 1829;

In which bills of the Senate the concurrence of the House of Representatives is requested.

The engrossed bills of the Senate named in said message, were severally read the first time and passed to a second reading.

Mr. Finch moved to postpone the several orders of the day, which precede the bill to incorporate the Liberty School Society;

Which motion was decided in the negative.

Mr. Lane moved that the several orders of the day which precede the bill for the establishment of a State Bank, be for the present postponed, and that the House do now consider said bill;

Which motion passed in the affirmative.

On motion of Mr. Crawford,

The orders were further suspended, and he had leave to present a bill to legalize the election of certain probate judges therein named;

Which was three times read, (the rules of the House having first been dispensed with,) and passed.

*Ordered*, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Mr. Lewis moved to further suspend the previous orders, and asked leave to present a petition of Moses Robertson and others;

Which motion was decided in the negative.

The House then proceeded to consider the bill for the establishment of a State Bank, and resumed the consideration of the amendment of Mr. Crume proposed to the 51st section of said bill, depending at the adjournment on last evening.

Mr. Proffit moved to amend said proposed amendment by adding thereto the following, to-wit, "not to exceed the tax upon other property;"

Which motion was decided in the negative.

On motion of Mr. Dunn,

The said proposed amendment of Mr. Crume was amended by adding thereto the following, to-wit: "for State purposes."

The question recurring shall said amendment as amended be adopted?

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Clark, Claypool, Cristler, Crume, Davenport, Ferguson of U., Hamilton, Hanna, Hargrove, Heustis, Howell, Lane;

Levenworth, Lewis, Lowe, Payne, Peyton, Proffit, Pruett, Rariden, Reid, Ribble, Schoonover, and Smith—24.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Cox, Cravens, Culley, Daniel, Davis of Sh'y, Dunn, Edwards, English, Ferguson of C., Finch, Fowler, Goodbar, Henley, Huntington, Livingston, Mastin, M'Junkin, Moore, Osborn, Palmer, Parker, Parks, Reop, Ruddick, Shortridge, Skeen, Slaughter, Stanford, Steele, Vawter, Watt, Wilson, Wooden, Woodruff and Davis, Speaker—42.

So said motion was decided in the negative.

Mr. Palmer moved to amend the 51st section of said act by adding thereto the following —“until after the year 1836, and then only for State purposes, at no other or higher rate than other property.”

Mr. Vawter moved to amend said amendment, by striking out “1836” and inserting in lieu thereof “1840;”

Which motion was decided in the negative.

Mr. Cravens moved to amend Mr. Palmer's said proposed amendment by adding thereto the following, to-wit: “including the 24 per cent. now provided for in the 24th section of this act.”

Mr. Palmer, after having obtained leave, withdrew his said proposed amendment.

On motion of Mr. Dunn,

Said bill was further amended as follows, to-wit: by striking out of the 24th section, after the word “expenses” in the first line, the words “payment of interest on the State loan” also by striking out the word “owned” in the 3d line in the same section and inserting in lieu thereof the words “paid in,” also after the word “stock” in the 3d line of the 30th section insert, “after payment of interest on the State loan,” and by striking out the word “capital” in the 5th line of said section, and inserting in lieu thereof, “a permanent deposit,” also by adding to the end of said section the following:

“And on the amount of such surplus, there shall be allowed five per cent. interest per annum by the bank and branches respectively in which the same may be, the same to be carried to the credit of the State every six months, and added to the surplus fund and to remain in the bank for the purposes aforesaid: Provided however, That it shall be lawful for the State to draw out such surplus, at any time to establish thereon, or to pay the



the State stock in any branch herein authorized, which may have failed to organize as herein required; the State in such case drawing from each a proportionate amount of such surplus.

Mr. Proffit moved to amend the 51st section by adding thereto the following, to-wit:

“Subscribed by individuals or corporations to said bank or branches, shall not be taxed until the year 1836, and shall at no time afterwards be taxed to exceed one fourth per centum per annum.”

Mr. Dunn moved to amend said amendment by striking out “one-fourth” and inserting in lieu thereof “one-eighth.”

Mr. Palmer called for a division of the question, and was put to-wit, on striking out,

And passed in the affirmative.

Mr. Palmer moved to fill the blank with “one-sixth”;  
Which motion did not prevail.

The question recurred on the motion of Mr. Dunn to fill the blank with “one-eighth”;

Which motion was carried in the affirmative.

Mr. Hanna moved to amend the 8th section of said bill, by striking out the word “Governor” in the seventh line, and inserting in lieu thereof these words, “the Treasurer, Auditor and Secretary of State”;

Which motion did not prevail.

Mr. Buell moved to amend said bill by adding the following as a proviso, to the 10th section thereof, to-wit:

*Provided*, That houses and other buildings may be mortgaged at the following rates, to-wit: If built of brick or stone, for one half the value thereof, and no more; and if built of wood, not more than one fourth the value thereof, independent of the ground on which they may be situated; *Provided* further, such buildings shall always be insured, for at least one year against fire or other accident, by some responsible insurance company, its responsibility to be judged of by the Directors; such insurance to be taken for not less than the amount for which such property is to be mortgaged; and the policy thereof transferred to the Bank. And if any person shall fail to keep his property so mortgaged, continually insured, it shall be the duty of the directors of the State Bank or any of the branches to which such property may have been mortgaged, to renew the policy of insurance, from time to time, as may be necessary to ensure its safety, to charge the amount of such insurance and all expenses thereby incurred, to such person so neglecting to renew his policy, and the same shall bear an interest of 15 per cent. per annum, until

paid and all expenses refunded to the State bank or such branch, as the case may be.

Mr. Rariden moved to amend said amendment by striking out so much thereof as relates to insuring of property;

Which motion was decided in the negative.

And on the question shall said amendment be adopted?

It was decided in the negative.

Mr. Hanna moved to strike out the 9th section of said bill, which reads as follows, to-wit:

“And if it shall be found on closing the subscription books, that the requisite sum has not been subscribed to the said bank at Indianapolis, the said directors herein appointed shall designate any one of the branches established within the Districts aforesaid to be the State bank, and it shall be entitled to the same rights and privileges, and liable to the same duties as the bank at Indianapolis would have been.”

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Claypool, Davenport, Davis of Sh'y, Ferguson of U., Hanna, Hamilton, Lane and Reid—8.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Clark, Cox, Cravens, Crawford, Crstler, Crume, Culley, Daniel, Dunn, Edwards, English, Ferguson of C., Finch, Fowler, Goodbar, Hamilton, Hargrove, Henley, Heustis, Howell, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Junkin, Moore, Osborn, Palmer, Parks, Payne, Peyton, Proffit, Rariden, Ribble, Roop, Ruddick, Sands, Schoonover, Shortridge, Skeen, Slaughter, Smith, Stanford, Steele, Vawter, Watt, Wilson, Wooden, Woodruff and Davis, Speaker—59.

So said motion was decided in the negative.

On motion of Mr. Dunn,

The 11th section of said bill was amended as follows, to wit: by striking out all the first line, and the words “unpaid stock” in the second line, and insert in lieu thereof these words, “the residue of the stock unpaid by the stockholders respectively in ten equal semi annual instalments”; and after the word “failure,” in the second line, insert “to pay any of the said instalments,” and in the same line after the word “the,” strike out the word “whole” and insert “residue of the”; and after the word “recovered” in the 3d line insert “with eight per cent. damages.”

Mr. Payne moved farther to amend said bill by adding the following to the 23d section, to-wit:

*Provided*, That all notes issued by said bank and branches, shall be received in payment of any debt due said bank or any branch;

Which motion was decided in the negative.

Mr. Schoonover moved further to amend said bill by striking out of the 68th section, the words "twenty-seven" and inserting in lieu thereof the word "seventeen" being the number of years said corporations shall continue;

Which motion was decided in the negative.

Mr. Proffit moved to add the following as an additional section, to-wit:

"The paper of said bank and branches, shall at all times be received in payment of taxes due the State;"

Which motion did not prevail.

Mr. Crume moved further to amend said bill by striking out of the 4th line of the 29th section, the word "five" and insert in lieu thereof the word "one;"

Which motion was decided in the negative.

Mr. Hanna moved further to amend said bill by striking out all after the word "bank" in the 1st line of the 38th section to the word "all" in the 5th line of said section, and insert in lieu thereof the following:

"Seven to be elected by the stockholders, and six to be elected by joint ballot of the General Assembly, one of which shall be the President. There shall also be thirteen Directors, for each branch, seven to be elected by the stockholders of each branch respectively and the other six by the General Assembly.

Mr. Cravens called for a division of the question, and thereupon was put, to-wit: on striking out—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Clark, Claypool, Crawford, Cristler, Crume, Daniel, Davenport, Davis of Shy, Ferguson of U., Finch, Hamilton, Hanna, Hargrove, Henley, Howell, Lewis, Lowe, Osborn, Payne, Peyton, Pruett, Rariden, Reid, Sands, Shortridge, Smith, Stanford, Steele and Woodruff—30.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradley, Bryant, Buell, Carter of M. & C., Cox, Cravens, Culley, Dunn, Edwards, English, Ferguson of C., Fowler, Goodbar, Heustis, Huntington, Lane, Levenworth, Livingston, Mastin, M'Junkin, Moore, Palmer, Parker, Parks, Ribble, Roop, Ruddick, Schoonover, Skeen, Slaughter, Vawter, Watt, Wilson, Wooden, and Davis, Speaker—37.

So said motion was decided in the negative.

Mr. Payne moved further to amend said bill by adding to the 47th section the following, to-wit:

“Nor shall said president, cashier or any director for the time being, become indebted to the bank or branch of which he may be such president, cashier or director, either on his own account or indorser for another, in any sum exceeding the amount of his stock actually paid in.”

Mr. Reid moved to amend said amendment, by inserting after the word “exceeding” the word “double,” which was accepted by Mr. Payne as a modification of his proposed amendment.

The question was then put, shall said amendment be adopted?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Buell, Clark, Claypool, Cristler, Crume, Davis of Sh'y, Edwards, Ferguson of U., Hamilton, Hanna, Hargrove, Howell, Lane, Levenworth, Lewis, Lowe, Parker, Parks, Payne, Peyton, Proffit, Pruett, Rariden, Reid, Ribble, Roop, Sands, Stanford, Steele, and Davis, Speaker—31.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradley, Bryant, Carter of M. & C., Cox, Cravens, Crawford, Culley, Davenport, Dunn, English, Ferguson of C., Finch, Fowler, Goodbar, Henley, Heustis, Huntington, Livingston, Mastin, M'Junkin, Moore, Osborn, Palmer, Shortridge, Skeen, Slaughter, Vawter, Watt, Wilson, Wooden and Woodruff—33.

So said motion was decided in the negative.

Mr. Hanna moved further to amend said bill by striking out of the 1st line of the 64th section, these words, “present com-



missioners of the canal fund" and inserting in lieu thereof the following, "Secretary, Treasurer and Auditor of State."

Mr. Mitchell called for a division of the question and was put, to-wit: on striking out;

And passed in the affirmative.

The question then recurred on filling the blank as proposed by Mr. Hanna;

Which was carried in the affirmative.

On motion of Mr. Dunn,

Said bill was further amended by inserting after the word "institution" in the 15th line of the 8th section, the following, "by drawing for the same on the fund commissioners."

And then the House adjourned until 3 o'clock P. M.

*3 o'clock P. M.*

The House met pursuant to adjournment.

Mr. Parker from the joint committee on enrolled bills reported that they had compared the enrolled with the engrossed bills, entitled,

An act to locate a State road from Lafayette in Tippecanoe county, to intersect a State road leading from Delphi in Carroll county to Lake Michigan;

An act to locate a State road from the Ohio line near Hillsborough, Wayne county, to intersect the Winchester and New Castle State road, in Henry county;

An act to establish a State road from Salem in Washington county to Leesville in Lawrence county;

An act to establish a State road from Greencastle in the county of Putnam, to the county line of Parke;

An act to re-locate a part of the State road from Rockport to Boonville;

An act to repeal an act entitled an act to raise additional revenue in the county of Ripley, approved January 24th, 1831; and,

An act for the relief of James Tiller;

And find the same truly enrolled:

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

The Speaker announced the arrival of the hour to pass to bills on their third reading.

On motion of Mr. Bryant,

The several orders of the day which precede the bill for the establishment of a State Bank, were for the present postponed, and the House proceeded to consider said bill.

On motion of Mr. Dunn,

Said bill was further amended, by striking out of the 2d line of the 65th section the words, "and they shall" after the word "conferred" and insert in lieu thereof the following, "as shall also the first board of directors herein appointed who shall also."

Mr. Roop moved further to amend said bill by striking out of the 65th section the words "judges of the supreme court" and insert in lieu thereof "legislature;"

Which motion did not prevail.

Mr. Lowe moved further to amend said bill by inserting after the word "fund" in the 3d line of the 53d section the following, to-wit: "after having given bond and security to double the amount authorized to be loaned, to be approved of by the Governor;"

Which motion was decided in the negative.

On motion of Mr. M'Junkin,

The 38th section of said bill was amended as follows, to wit:

By inserting in 4th line after the word "by" the words "each House of," and after the word "Assembly" the words "in manner aforesaid."

The question was then put, shall said bill be engrossed and read a third time to-morrow—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Bradley, Bryant, Buell, Carter of M. & C., Cox, Cravens, Culley, Daniel, Davis of Sh'y, Dunn, English, Ferguson of C., Goodbar, Huntington, Livingston, Mastin, M'Junkin, M'Nary, Moore, Osborn, Palmer, Pruett, Roop, Rud-dick, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Vaw-ter, Watt, Wooden and Davis, Speaker—35.

*And those who voted in the negative are,*

Messrs. Bonner, Bradbury, Clark, Claypool, Crawford, Crist-ler, Crume, Davenport, Edwards, Ferguson of U., Hanna, Har-grove, Henley, Howell, Levenworth, Lewis, Lowe, Parker, Parks, Payne, Peyton, Rariden, Reid, Ribble, Sands, Smith, Steele and Wilson—29.

So said bill was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Smith,

Mr. Woodruff had leave of absence from the service of the House until to-morrow evening.

The House proceeded to consider bills on their third reading.

The engrossed joint resolution from the Senate authorizing the subscription for the second volume of Blackford's reports, was read the third time.

The question being put, shall said joint resolution pass?

The ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Bradley, Bryant, Buell, Carter of M. & C., Clark, Claypool, Cox, Cravens, Crawford, Culley, Daniel, Davenport, Dunn, Edwards, English, Ferguson of C., Finch, Goodbar, Hanna, Hargrove, Howell, Huntington, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Junkin, Moore, Osborn, Palmer, Payne, Peyton, Rariden, Reid, Roop, Shortridge, Slaughter, Stanford, Vawter, Wilson and Davis, Speaker—41.

*And those who voted in the negative are,*

Messrs. Boyd, Bradbury, Cristler, Crume, Davis of Sh'y, Ferguson of U., Fowler, Hamilton, Henley, Parker, Parks, Pruett, Ribble, Ruddick, Sands, Schoonover, Skeen, Smith, Steele, Watt and Wooden—21.

So said joint resolution passed.

*Ordered,* That the clerk inform the Senate thereof.

Engrossed bills of the following titles, to wit:

A bill supplemental to an act entitled an act to locate a State road from Wood's ferry, on the east branch of White river, in Lawrence county, to Bloomfield in Green county, approved January 24, 1832; and

A bill to establish a State road from the Tobacco landing in Harrison county, by the way of Laconia, to Corydon in said county,

Were severally read the third time and passed.

*Ordered,* That they be entitled acts and that the clerk carry them to the Senate and ask their concurrence.

On motion of Mr. Howell,

The bill changing the time for holding the Circuit Courts in the 1st, 2d, 4th, 5th and 6th judicial circuits, laid on the table on the 14th inst., was taken up.

The question recurred on the motion of Mr. Mitchell, depending when said bill was last under consideration, which was to provide that the Circuit Courts in the county of Harrison, in the second judicial circuit, shall be holden on the first Mondays in June and second Monday in November in each year;

Which motion was decided in the negative.

On motion of Mr. Bryant,

Said bill was further amended by striking out the first section and inserting in lieu thereof the following:

"That the circuit courts in the first judicial circuit shall be held on the days and times following to wit: in the county of Parke on the third Mondays in February and August; in the county of Vermillion on the first Mondays in March and September; in the county of Fountain on the second Mondays in March and September; in the county of Montgomery on the third Mondays in March and September; in the county of Clinton on the fourth Mondays in March and September; in the county of Tippecanoe on the Mondays next succeeding the courts in Clinton; and in the county of Warren on the Mondays next succeeding the courts in Tippecanoe: Provided, That the next terms of the Circuit Court in the said several counties shall be held on the days and times following, to wit: in the county of Vermillion on the fourth Monday in February; in the county of Parke on the first Monday in March; in the county of Montgomery on the third Monday in March; in the county of Fountain on the fourth Monday in March; in the county of Warren on the first Monday in April; in the county of Tippecanoe on the second Monday in April; and in the county of Clinton on the third Monday in April, and after that the provisions in the first part of this section shall prevail. The circuit courts shall sit six days in each of said counties, at each term, if the business require it, except in the county of Parke, where it shall sit twelve days, if the business require it."

Mr. Ferguson of U. moved to amend the 5th section of said bill, so as to give to the county of Union twelve days to do her business, at each term of the circuit court.

On motion of Mr. Crume,

Said bill was recommitted to a select committee of Messrs. Crume, Ferguson of U. and Hanna, with instructions to arrange the courts in the 6th Judicial Circuit.

On motion of Mr. Moore.

The bill to incorporate the Christian College at New Albany, Indiana, and laid on the table on the 14th inst., was taken up.

The question recurred on the motion of Mr. Proffit, depending when the same was laid on the table; which motion was to recom-



mit to a select committee, with instructions to strike out so much as prohibits the teaching or inculcating sectarian tenets;

Which motion was decided in the negative.

And on the question, shall said bill pass?

It was carried in the affirmative.

*Ordered*, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

The House resumed the consideration of the engrossed bill from the Senate, to appropriate a part of the three per cent. fund.

The question recurred on the motion of Mr. Payne, depending when the bill was last under consideration; which motion was to amend the 17th section, by inserting before the word "roads" the word "state," and after the word "bridges," the words "on State roads."

Mr. Hargrove called for a division of the question.

The question was thereupon put on the first branch thereof,

And carried in the affirmative.

Then the question was put on the second branch, to wit: on inserting the words "on State roads," after the word "bridges,"

And passed in the affirmative.

Mr. Pruett moved further to amend said bill, by adding the following as an additional section, to wit:

"Sec. Be it further enacted, That the board doing county business in and for the county of Parke, be and they are hereby authorised and required to expend, or cause to be expended, an equal proportion of the sum by this act appropriated to said county, on each of the State roads that now is, or hereafter may be located within the county of Parke, according, and in proportion to the length thereof, except where the board aforesaid, shall deem it expedient and necessary to make a larger appropriation for the construction of bridges on the State roads within the county aforesaid."

Which motion was decided in the negative.

Mr. Cristler moved further to amend the bill, by adding the following as an additional section:

"Sec. That the sum of two thousand dollars, out of the three per cent. fund, be and the same is hereby appropriated for the use of building a bridge across the West fork of White Water, at or near the town of Connersville, in Fayette county; that George Fryberger be and he is hereby authorised to receive and apply the same, and that the Agent of the three per cent. fund be, and he is hereby required to pay over the same out of any money in his hands not otherwise appropriated."

Mr. Daniel moved to amend said proposed amendment, by striking out the words "White water," and insert in lieu thereof "Snake Run;"

Which motion passed in the affirmative.

Mr. Dunn moved to recommit said bill to a select committee, with the following instructions, to wit:

"That the whole three per cent. fund be applied to the turn-piking the Michigan road, commencing at Indianapolis and finishing the same complete, as far towards the Ohio river as the funds will annually complete, and that so soon as ten miles are completed, toll gates may be erected thereon and a reasonable toll collected, which shall constitute a fund for keeping the said road in repair, and for making and improving (in like manner) other roads in which like tolls shall be collected for the like purpose."

Mr. Roop moved to amend said instructions, by inserting after the word "towards," and before the words "the Ohio river" these words, "Lawrenceburgh the convenient point on."

Mr. Palmer called for the previous question, which was seconded by two members, and thereupon put, to wit: shall the main question be now put?

Which passed in the affirmative.

The said main question was then put, to wit:

Shall the bill be engrossed and read a third time to-morrow,  
And was carried in the affirmative.

Mr. Proffit moved that the several orders of the day which precede the bill to provide for taking the valuation of taxable property in this state, preparatory to the ad valorem system of taxation, be for the present postponed;

Which motion did not prevail.

Mr. Sands moved that the several orders of the day which precede the bill to amend an act entitled an act to regulate the mode of doing county business in the several counties in this state, approved January 19, 1831, be for the present postponed, and that the House do now consider said bill;

Which motion was decided in the negative.

The House then proceeded to consider bills on their second reading.

The bill to amend the act entitled an act to incorporate the town of Terre-Haute; and

The bill to amend an act entitled an act for the location and opening a State road from Logansport via Turkey creek and Elkhart prairie to the Northern line of the State in the direction of

Pigeon prairie in Michigan territory, approved December 29, 1830,

Were severally read the second time and ordered to be engrossed and read a third time to morrow.

The bill supplemental to an act to regulate ferries, was read the second time.

Mr. Cox moved to postpone the further consideration thereof indefinitely—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradley, Cox, Crume, Davis of Sh'y, English, Hanna, Hargrove, Lowe, Mastin, Parks, Payne, Pruett, Rariden, Reed, Ruddick, Sands, Skeen, Steele, Watt and Wooden—20.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradbury, Bryant, Buell, Clark, Claypool, Cravens, Crawford, Cristler, Culley, Daniel, Davenport, Dunn, Edwards, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Henley, Heustis, Howell, Huntington, Lane, Levenworth, Lewis, Livingston, M'Junkin, M'Nary, Mitchell, Moore, Osborn, Palmer, Parker, Proffit, Ribble, Schoonover, Shortridge, Slaughter, Smith, Stanford, Vawter, Wilson and Davis, Speaker—45.

So said bill was not indefinitely postponed.

Mr. Dunn moved to amend the first section of said bill, by striking out the word "shall," and inserting in lieu thereof the word "may;"

Which motion passed in the affirmative.

Said bill was then ordered to be engrossed and read a third time to-morrow.

Mr. Davis of Shelby moved that the several orders of the day that precede the bill supplemental to an act to provide for selling the Michigan road lands, to open that part of the Michigan road between Logansport and Lake Michigan and for other purposes, approved February 2, 1832, be for the present postponed;

Which motion did not prevail.

The bill to organize circuit probate courts,  
Was read the second time, and

On motion of Mr. Proffit,  
Indefinitely postponed.

The bill to locate a State road from Lebanon in Boon county to Prairieville in Clinton county,  
Was read the second time, and

On motion of Mr. Carter of M. & C.,  
The further consideration thereof was indefinitely postponed.

The bill to amend an act providing for the building of a bridge across Rattlesnake creek in Owen county,

Was read the second and third times (the rules of the House having first been dispensed with) and passed.

*Ordered*, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Mr. Henley moved that the orders of the day be suspended and that he have leave to introduce a resolution;

Which motion did not prevail.

The engrossed bill from the Senate to amend an act entitled an act to prevent useless and expensive applications to the General Assembly, relative to State roads, approved February 3d, 1832,

Was read the second time and ordered to be read a third time to-morrow.

The engrossed bill from the Senate to repeal a part of the act regulating the fees and salaries of the several officers and persons therein named, approved February 7, 1831,

Was read the second time.

Mr. Pruett moved to postpone the further consideration thereof indefinitely.

Mr. Howell moved to lay it on the table;  
Which motion was decided in the negative.

The question was put on Mr. Pruett's motion to postpone,  
And decided in the negative.

And then the House adjourned until to-morrow morning at 9 o'clock.

FRIDAY, JANUARY 18th, 1833.

The House met pursuant to adjournment.

The following message was received from the Senate by Mr. Morris, their Assistant Secretary:



MR. SPEAKER,

The Senate has passed engrossed bills from the House of Representatives entitled acts, as follows, to wit:

An act to legalize the election of certain probate judges therein named;

An act supplemental to an act entitled an act to incorporate the Green county seminary, with amendments to each; also

An engrossed bill of the Senate entitled an act to provide for a special session of the Switzerland Circuit Court;

In which bill of the Senate, and the amendments proposed to the bills of the House, the concurrence of the House of Representatives is requested.

The amendments proposed by the Senate to the engrossed bills of the House, named in said message, were severally read and agreed to.

The engrossed bill from the Senate, named in said message, was three times read, (the rules of the House having first been dispensed with,) and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Carter of O., after having obtained leave, moved the following preamble and resolutions, which were read and adopted unanimously, to wit:

WHEREAS it has been announced to this House, that James Lynd, Esq., a member of the House of Representatives from the county of Orange, departed this life on the 12th inst., at his residence in said county,

*Resolved*, That the members of the House of Representatives, as a mark of the high estimate they place upon the worth, honesty and sound judgment of the deceased, will wear black crape on the left arm for thirty days.

*Resolved*, That the members of the House of Representatives unite in a sincere expression of their condolence with the family of the deceased for the severe bereavement they have experienced in the loss of an affectionate father, the only parent they had living.

*Resolved*, That the editors of the Journal and Democrat be requested to publish the foregoing preamble and resolutions in their papers respectively, and the Speaker of the House of Representatives transmit to the family of the deceased a copy of the same.

Mr. Culley from the committee on claims to which was referred the petition of James Chess, reported a bill for the relief of the petitioner;

Which was three times read (the rules of the House having first been dispensed with) and passed.

*Ordered*, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Mr. Lane from the committee on roads, to which was referred several petitions and remonstrances on that subject, reported a bill concerning a certain State road in Rush county;

Which was three times read (the rules of the House having first been dispensed with) and passed.

*Ordered*, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Mr. Lane from the same committee to which was referred a petition of sundry citizens on that subject, reported a bill, providing for the location of a State road from Delphi, in Carroll county, to Crawfordsville in Montgomery county;

Which was read the first time and passed to a second reading.

Mr. Lane from the same committee to which was referred, a petition of Adam Wright and others on that subject, reported a bill to authorize the relocation of a State road in Marion county;

Which was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time to-morrow.

Mr. Lane from the same committee to which was referred a petition of Joseph Orr and others, on that subject, reported a bill for the location of a State road;

Which was read the first time and passed to a second reading.

Mr. Lane from the same committee to which was referred the petition of William Burton and others, on that subject, reported a bill to establish a State road from John R. Crooks, in Lawrence county, to intersect the Rockport State road, at Mark Trublood's in said county;

Which was three times read, (the rules of the House having first been dispensed with,) and passed.

*Ordered*, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Mr. Lane from the same committee to which was referred the petition of Elijah Wright and others, on that subject, reported a bill supplemental to an act entitled an act to amend an act to establish a State road from William Connelly's, in Lawrence county, to Greencastle in Putnam county, approved February 3d, 1832;

Which was twice read, (the rules of the House having first been dispensed with,) and laid on the table.

Mr. Smith made the following report:

The select committee to which was referred a resolution of this House, directing them to examine into the condition of the office of the Agent of the three per cent. fund; and also, to enquire into the expediency of abolishing said office, and placing the funds thereof, in the Treasury, &c. have according to order, examined the said office, and find the same kept in good order, and that the accounts and vouchers agree with the reports made by the said Agent, to this House; and that after examining the books and papers aforesaid, they proceeded to count the money in said office, and find funds in his office, agreeing with his reports on that subject. It is due to the Agent, to state, that he afforded every facility in his power, to enable the committee, to a speedy and correct result of their examination.

In answer to so much of said resolution, as relates to the abolishing said office, they approach that subject with some degree of delicacy, but they would not be understood as shrinking from any responsibility of a free expression of their opinion.

A majority of the committee are therefore of opinion, that a sufficient degree of talent and integrity might be elicited, equal to the discharge of the duties of this office for one and a half per cent. on all the monies received and disbursed by the agent, and in the event of the office not being disposed of, in this way, they would recommend a small increase of the salary of the Treasurer of State, and place the management of this fund, to his control; they would therefore report a bill entitled,

A bill to amend an act respecting the agent of the three per cent. fund, and for other purposes;

Which bill was twice read (the rules of the House having first been dispensed with.)

Mr. Bryant moved to commit said bill to a select committee, with instructions to report a bill to reduce the salary of the agent of the three per cent fund.

Mr. Cravens moved to amend said instructions so as to reduce the salary to \$300 and to elect the agent every three years.

A division of the question being called for, it was put, to-wit: on striking out,

And carried in the affirmative.

Mr. Hanna moved to fill the blank with \$200, \$300, \$275, \$250, \$175, \$150 were severally named.

The questions were severally put on \$300, 275, 250, 200, and 175;

And decided in the negative.

The question was then put on filling the blank with \$150, and carried in the affirmative.

The question recurring on the motion to commit to a select committee with instructions as amended;

Which motion was decided in the negative.

On motion of Mr. Lane,

Said bill was committed to a committee of the whole House for to-morrow.

Mr. Finch, from the select committee to which was referred the petition of M. Gray and others, on that subject, reported a bill for the formation of the county of Drayton, and for other purposes;

Which was read the first time and passed to a second reading.

Mr. Crume from the select committee, to which was re-committed the bill changing the times of holding the circuit courts, in the 1st, 2d, 4th, 5th, and 6th judicial circuits, reported the same with one amendment;

Which was read, and

On motion of Mr. Rariden,

Amended so as to provide that the circuit courts in the county of Henry shall hereafter be holden on the 2d Mondays succeeding the courts in Rush; in the county of Delaware on the Mondays succeeding the courts in Henry. The circuit courts in the county of Rush shall sit two weeks if the business require it; and in the counties of Henry and Delaware shall sit one week each if the business require it.

On motion of Mr. Mitchell,

Said bill was further amended by providing that the circuit courts, in the county of Harrison, in the 2d judicial circuit, shall hereafter be holden on the 1st Mondays in June and third Mondays in November.

On motion of Mr. Lane,

Said bill was further amended by adding the following proviso to the 3d section, to-wit:

*“Provided, That the change contemplated by the 3d section of this act shall not take place or in any wise affect the courts in the counties of Dubois, Pike, Gibson, Posey, Vanderburgh, and Warrick in the 4th judicial circuit, at the first term of said courts, after which the provisions of this section shall be in full force.*

Mr. Wooden made the following report:

The select committee to which was referred a petition of John Treat and others, citizens of Morgan county, also a petition of R. H. Vandike and others, of Hendricks county, praying that a part of the county of Morgan, be attached to the county of Hen-



dricks, have had that subject under consideration and have directed me to report that it is inexpedient to legislate on that subject at this time, and wish to be discharged from any further service on that subject at this time;

Which was read and concurred in by the House.

Mr. Henley, from the select committee, to which was committed the bill to incorporate the board of trustees for the promotion of schools and education, in Clark's Grant, reported the same with two amendments;

Which were read and concurred in by the House;

Sail bill was then,

*Ordered* to be engrossed and read a third time on to-morrow.

Mr. Howell, from the select committee to which was re-committed a bill for the relief of Moses Matthews, reported the same with one amendment;

Which was read, and

On motion of Mr. Lane,

Amended by providing that it shall be discretionary with the commissioners name in said bill, whether or not to cause said Matthews to provide slopes or lock to his said mill dam.

Said amendment as amended was then agreed to by the House.

Said bill was then,

*Ordered* to be engrossed and read a third time to-morrow.

Mr. Crawford made the following report:

The select committee to which was referred the petitions of the citizens of the county of Allen, praying for an additional Senator, in the senatorial district, and two additional representatives, in the representative district, and also, a petition of the citizens of the county of Elkhart, praying for one additional representative, in the same district, have had the same under consideration, and ask leave to make the following report, accompanied by a bill: Notwithstanding the extent of the territory and the number of inhabitants, included in the district, and their detached situation, we deem it inexpedient to grant to the petitioners of Allen county, the full extent of their prayers; but taking into consideration the whole number of petitioners, and a majority of them asking for one additional representative: We therefore, do believe, that if an additional representative should be granted to said district, that it would not only advance and promote the interest of the inhabitants of that particular section of the country, but would also greatly tend to promote the general interests of the State. The district alluded to, includes nearly one fourth of the territory of the whole State, with a population of nearly or quite seven thousand white inhabitants, with

the prospect of a rapid increase of population by emigration for a number of years in succession.

The bill accompanying said report, entitled, a bill for the apportionment of representatives in the counties therein named;

Was read the first time, and

On motion of Mr. Cravens,  
Said bill was rejected.

And then the House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. English after having obtained leave, presented a bill to establish the road from Madison, in Jefferson county, to Paoli, in Orange county, a State road;

Which was twice read, (the rules of the House having first been dispensed with) and committed to a select committee of Messrs. Henley, English and Hamilton.

Mr. Master from the select committee to which were referred a petition and remonstrance of sundry citizens of the county of Hendricks on that subject, reported a bill to relocate a part of the Martinsville, Danville, and Frankfort State road and for other purposes;

Which was twice read (the rules of the House have first been dispensed with) and;

*Ordered*, To be engrossed, and read a third time to-morrow.

Mr. Bryant, from the joint committee on enrolled bills reported, that they did on this day present to the Governor for his approval and signature, bills of the following titles, to-wit:

An act to locate a state road from the Ohio line near Hillsborough, in Wayne county, to intersect the Winchester and New-castle state road in Henry county:

An act to repeal an act entitled an act to raise additional revenue for the county of Ripley, approved January 24th, 1831;

An act to relocate a part of the state road from Rockport to Boonville;

An act to locate a State road from Lafayette, in Tippecanoe county, to intersect a State road leading from Delphi, in Carroll county, to Lake Michigan;

An act to establish a State road from Green-Castle, in the county of Putnam, to the county line of Parke;

An act to establish a State road from Salem in Washington county, to Leesville in Lawrence county; and

# An act for the relief of James Tillier.

Mr. Palmer made the following report:

The select committee to which was referred a "bill for the relief of William C. Bromwell, and for other purposes," have had the same under consideration, and have directed me to report, that upon an examination of the books and papers of the said Bramwell, the committee are of opinion that it is inexpedient to legislate on that subject; and ask to be discharged.

Said committee was thereupon discharged accordingly.

The bill named in said report was,

On motion of Mr. Palmer,  
Laid on the table.

Mr. Henley, from the select committee to which was re-committed the bill to establish the road from Madison, in Jefferson county, to Paoli, in Orange county, a State road, reported the same with one amendment:

Which was read and agreed to by the House.

Said bill was then,

*Ordered* to be engrossed and read a third time to-morrow.

Mr. Huntington made the following report:

The select committee to which was referred a resolution of this House, on the subject of the abolition of imprisonment for debt, have had that subject under consideration and report, that, in the investigation of the important subject submitted, the committee has been guided as well by the views and opinions of others, distinguished alike for their philanthropy and their intelligence, as by the light which our own peculiar institutions and political condition have furnished. Whether we look to the origin or to the operation of laws in this or in any other country, that subject the body of a debtor to imprisonment at the instance of his creditor, we find them unsanctioned and unsupported by any principle of humanity, of justice, or of policy. These like most of our laws have been derived from the mother country. In adopting the British common law and code as our guide, in the formation of our own systems of jurisprudence, we have with many of good, adopted many very bad principles. It is often difficult to judge of the peculiar adaptation of laws which were wholesome under the British form of government to our republican institutions, and in adopting many of the municipal regulations of England and incorporating them into our own laws, our statesmen have not been careful enough of the differences of the two governments, their institutions, and the habits and feelings of the people. We can discover nothing in the origin of the laws alluded to and now the subject of investigation, to commend them

to our adoption. On the other hand we regard them as incompatible with the principles of humanity and of justice, incompatible with our free institutions and with the genius and feelings of the people, and incompatible with principles of sound policy.

It has been contended by some who are advocates for imprisonment for debt, that the common law sanctioned it, and therefore that all time has tested its propriety. This is however incorrect, and the stain thus attempted to be affixed to that splendid pile of human wisdom, erected by the events and experience of ages, was removed in a speech of surpassing eloquence, pronounced in the Senate of the United States, in 1828, by a Senator of Kentucky. In England, a government more nearly approximating to our own, than any other, in the security it affords to the individual and natural rights of the subject, imprisonment for debt was unknown until the reign of Henry the Third. It was introduced by an act of Parliament, as an extension of the then overgrown power of the Nobles, under the specious pretence of securing them against the frauds of their "bailiffs and stewards." This power then extended only to the *Barons*, and only operated under peculiar restrictions upon a particular and comparatively a small class of the people. In the reign of Edward the First, the *merchants* procured the passage of an act of Parliament, giving *them* the power to imprison their debtors. In a subsequent reign the power to imprison was yet farther extended, until in the reign of Henry the Eighth, it became a general law. Thus it will be seen, that after a hundred and fifty years of tortuous legislation, commenced by the aristocracy, and subsequently continued step after step by the unseen, but grasping power of wealth, civil imprisonment was sanctioned by the laws of England. It has been well and truly said that "power is always stealing from the many to the few," and the remark applies with equal force to the government of England and to our own. It has and ever will be so, until some moral and political revolution shall take place in the world never yet "dreamed of in our philosophy," a large majority of mankind must be hewers of wood and drawers of water," for the minority. The people of England lost half their freedom, when the right to imprison for debt was established. This right did not exist by the common law, which comes down to us hallowed by time and sanctified by its wholesome operations upon all human concerns, but was filched from the people by the power of aristocracy and of wealth, and secured by acts of Parliament. Having removed the impression that civil imprisonment was sanctioned by the common law, we now proceed to show why in the opinion of the committee, it should be abolished.

While we have rejected by a glorious revolution the political code of England, and repudiated that maxim of Tyrants "that Kings rule by divine right," we have adopted many of her civil



regulations and laws perfectly at war with the essentials of republican freedom. Ours is emphatically a free government, a government of the people. It reposes alone upon the immutable basis of virtue and of mutual rights. Any law that impairs the natural liberties of the citizens, except so far as it may be necessary to the general welfare is inconsistent with the spirit of our institutions. The punishment of crime is necessary to the health of society, and in the formation of our criminal code, we have except in two cases (the cases of treason and murder) rejected the vindictive penalties of the British criminal code, and substituted imprisonment in place of death. To protect the innocent from the vicious, is the duty of all governments, for to suffer the wicked and the base to prey with impunity upon the virtuous, would be to place vice and virtue upon the same moral and political footing. But who is there, that would place the *crimes* and the *misfortunes* of men, upon the same political and moral scale? If judgment, and the honest charities of our natures are left uncontrolled, crime would excite our horror, and misfortune our regrets. The heart that would shudder at the crime of perjury, would sorrow over the pecuniary ruin and distresses of man, and yet under our municipal laws, the perjured and unfortunate debtor, are alike subject to the pains of incarceration. It is true that in the one case, the mark of the criminal is stamped upon the captive, while the other, only bears the indicia of sorrow and misfortune. But the case of the criminal, twenty-four of his peers under oath, pronounce the punishment, while the doom of the debtor is left to the uncontrolled determination of an unrelenting creditor. It may be, that a wall shall separate the victim of his own dark crimes, from the miserable debtor, but the free air of Heaven is alike denied to both. They are both the tenants of a prison, and the cold sympathy of the world will scarcely stop to learn the distinctions of their moral condition, while they both wear the same fetters. In the language of the benevolent Stern, "disguise thyself as thou wilt, still slavery, still thou art a bitter draught."

It is true that debtors in some cases are guilty of fraud and dishonestly evade the payment of their just debts, but one of the favorite maxims of the common law is, that "the least corporal punishment, is greater than the greatest possible amercement." If the fraudulent alone were imprisoned, the evil would be comparatively nothing, but it falls indiscriminately upon the honest and the dishonest. Where is the community, boasting of its civil and religious freedom, whose moral sense will doom to the same prison with the criminal, that man, the "deep damnation of whose offence" alone consists, in his inability to pay his debts; and this too at the instance of one man, left free to gratify his own malignant feelings. To pretend that the world is more charitable, or that creditors are more indulgent towards their honest debtors in the general than this, is to deny the allegations

of all history. The prisons of Europe and (we lament to acknowledge it) of our own country, all speak the same melancholy truth. Upon every principle then of humanity, imprisonment for debt should be abolished.

We next proceed to enquire whether the power to imprison for debt is not inconsistent with the spirit of our republican institutions. In the language of the declaration of independence "all men are created equal; they are endowed by their Creator with certain unalienable rights; that among those are life, *liberty*, and the pursuit of happiness." To support these principles the best blood of the land was freely poured out. Who will say that this declaration of natural rights, sanctions the deprivation of personal liberty for any thing less than crime? In the first section of the first article of the Constitution of Indiana, the same principles are asserted, and although the right to imprison for debt "where there is strong presumption of fraud" is fully recognized in the 17th section, of the same article, yet the very phraseology of that clause denounces it for any other cause. But in the 8th article of the same instrument, embracing in our conception, the substantial meaning and true spirit of the whole, so far as it relates to this subject, it is solemnly said that, "as the holding of any part of the human creation in slavery, or involuntary servitude, can only originate in usurpation or tyranny, no alteration of this constitution shall ever take place, so as to introduce slavery or involuntary servitude in this State, otherwise than for the punishment of crimes whereof the party shall have been duly convicted." This, in our opinion, applies as well to involuntary confinement and servitude in prison, as to the African slavery, for it specially recognizes imprisonment for crime as involuntary servitude. If this construction be true, imprisonment for debt stands condemned by the letter and spirit of our constitution. In short, from the declaration of independence to the present period, there can be found nothing in all our institutions and charters to sanction and recommend civil imprisonment.

Is it sanctioned by the feelings and genius of the people of this State or of the United States? We say it is not. We boast that we are freemen, while we are all by one act of folly (not of crime) by one indiscretion, or by one misfortune liable to be cast into prison. While the world is as it is, and has been, men will be liable to misfortunes, sometimes the result of ignorance, sometimes of folly, but oftener of unavoidable circumstances. Human foresight cannot always avert the coming of disaster and distress. The rich to-day, may be beggars to-morrow. Fire, tempest, the sword, crime, death, and the countless changes that are constantly going on in the moral and physical world, all render the durability of human fortune as well as human life fearfully precarious. While all human concerns are thus liable to change, is it right that the miseries and evils following these unavoidable revolutions should be increased by the degradations

and dishonor of the prison? The moral sense of any community priding itself upon its civil liberty, must recoil from such a doctrine. The feelings and genius of the people of Indiana must ever condemn it. But this is not all, imprisonment for debt impairs that veneration for civil liberty, which it is the duty and policy of the government to cultivate. Tear the unfortunate debtor from his family, cast him into prison, and leave him there to reflect upon his humble condition, and if he be a man of the ordinary sensibilities of our nature, he will loose every feeling of pride and privilege which commonly attaches to the American citizen. He feels himself degraded in the eyes of the world. He ponders upon the ruin of his once happy home, and sees his family thrown upon the world, the objects of a cold and careless charity. He has nothing to look upon but wretchedness; his family altars have all been cast down and violated. He sees and feels all this, and perhaps to add to the bitterness of his miseries, he sees through the grates of his prison his creditor roll by, surrounded by all the trappings of wealth and distinction. This is no fiction. These are every day scenes. And is it strange that under these circumstances the "iron should enter his soul?" These things must weaken the ties that bind man to his country. When the doors of the prison are unbolted to him, he returns to the world a misanthrope, and without one feeling in common with the more fortunate around him. It is not strange that he should hate the country that thus degraded him. And now having shown that civil imprisonment, stands condemned by humanity, by the spirit of our republican institutions, by the genius and feelings of the American people and by the spirit of freedom, one consideration alone remains connected with this subject. Is the power to imprison for debt demanded in the score of policy? If it is not, it should not exist.

Its toleration is advocated as a means to enforce the payment of debts. To imprison a man, surely does not increase his means to pay, it invests him with no more property. It makes him no more honest. What will it do? It will sometimes it is true induce the fraudulent to yield up what he has, but oftener plunge him into deeper iniquities through the insolvent oaths. It will shackle his hands and prevent him from using the means of escaping from embarrassment. It will make his family if he has one, paupers. It will degrade him. It may in cases wring from him a dollar more, and by operating upon the sympathies of his friends if he should be so fortunate as to have any, coerce from them the payment of his debts. But in nine cases out of ten, it will wring nothing from him but the groans of a broken spirit, and from his family, the unavailing tears of wretchedness. Punctuality in the discharge of obligations of every kind, should be encouraged, but never by the terrors of a jail. Equitable, as well as legal effects should be liable to execution. In a

large majority of cases, imprisonment is resorted to, to gratify private malice, rather than punish fraud. But the fraudulent escape from prison through the means of insolvent laws, and two often add to their already degraded characters the crime of perjury. This should be avoided, more especially, where it answers no earthly good. The honest man escapes through the same path, but subject alike to the same degradation in the eye of the world. Who is benefited? Nobody is benefited. Let it not be said that every man can escape from prison by taking the benefit of the insolvent laws. No honest freeman should be forced into a prison, even though the means of escape are before him. Crime should be punished, misfortune never. Prisons were made for the vicious, not the unfortunate or indiscreet. We have no entails, no right of primogeniture to impair our equality, we should have no debtors prison. The committee therefore entertaining these views, earnestly recommend that imprisonment for debt be abolished. To effect this, they report

Accompanied by a bill subjecting real and personal estate to execution, approved February 4th, 1831;

Which was read the first time and passed to a third reading.

Mr. Mitchell moved that 500 copies of said report be printed for the use of the members of this House;

Which motion was decided in the negative.

Mr. Henley moved that 400 copies be printed.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Clark, Cox, Crawford, Daniel, Dunn, Finch, Hewitt, Henley, Howell, Lane, M'Junkin, Mitchell, Palmer, Parker, Payne, Proffit, Sands, Slaughter, Wallace, and Davis, Speaker—21.

*And those who voted in the negative are,*

Messrs. Bonner, Bradbury, Bryant, Buell, Carter of M. & C., Carter of O., Claypool, Cravens, Culley, Davenport, Davis of Sh'y, Edwards, English, Ferguson of C., Ferguson of U., Fowler, Goodbar, Hamilton, Hargrove, Levenworth, Lewis, Lowe, Mastin, M'Nary, Osborn, Parks, Peyton, Pruett, Rarden, Reid, Ribble, Roop, Ruddick, Schoonover, Shortridge, Skeen, Smith, Stanford, Steele, Vawter, Watt, and Wilson—42.

So said motion was decided in the negative.

Mr. Howell moved that 250 copies be printed.



Mr. Rariden called for a division of the question, and the first branch thereof was thereupon put, to-wit:

Shall said report be printed?

And decided in the negative.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate concurs in the 1st, 3d & 4th amendments proposed by the House to the engrossed joint resolution of the Senate, authorizing a subscription for the second volume of Blackford's Reports; and in the 2d amendment proposed by the House to said joint resolution with an amendment;

In which the concurrence of the House of Representatives is requested.

The House disagreed to the amendment proposed by the Senate to the 2d amendment of the House to said joint resolution.

*Ordered*, That the clerk inform the Senate thereof.

On motion of Mr. Finch,

*Resolved*, That the Hon. Saml. M'Roberts, formerly a member of the legislature of Illinois, now at Indianapolis, be invited to take a seat within the Hall of the House of Representatives during his stay with us.

Mr. Vawter moved the following resolution:

*Resolved*, That Solon Robinson of Jennings county, commissioner on the Madison and Indianapolis State road, be required, without delay, to lay before this House, a statement, exhibiting the amount of monies by him received of the Agent of the three per cent. fund, as commissioner on said road, with the precise time when received, and if at different periods of time, the several dates at which he received said monies, with the amount at each time, and further that he report to this House all disbursements by him made out of the sum or sums by him received, to whom paid, that a copy of the receipt of such payment accompany the report, hereby required, stating particular for what object the payment was made. And further that he furnish a detailed account of services by him rendered, at what time and place rendered, with the amount of money applied to his own credit, for all services by him rendered as commissioner; if contingent expenses have been incurred, the nature, character and amount thereof. That Austin M. Puett, sergeant at arms to this General Assembly do serve on said Robinson a copy of the foregoing re-

solution, and receive from said Robinson the report required by this resolution, directed to the Speaker of this House;

Which was read; when

Mr. Cravens moved to amend said resolution, so as to cause said report to be made to the legislature on the 2d Monday in December next.

Mr. Palmer moved to postpone the further consideration thereof indefinitely—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bonner, Bradbury, Bradley, Buell, Carter of O., Clark, Culley, Davis of Sh'y, Dunn, Edwards, English, Ferguson of C., Finch, Fowler, Goodbar, Hargrove, Henley, Huntington, Lane, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Osborn, Palmer, Parks, Payne, Peyton, Pruett, Rariden, Reid, Ribble, Roop, Shortridge, Skeon, Smith, Steele, Watt and Davis, Speaker—42.

*And those who voted in the negative, are*

Messrs. Bryant, Claypool Cox, Cravens, Crawford, Cristler, Crume, Daniel, Davenport, Ferguson of U., Hamilton, Hanna, Heustis, Howell, Levenworth, Livingston, Moore, Sands, Schoonover, Stanford, Vawter, Wallace, and Wilson,—23.

So said resolution was indefinitely postponed.

Mr. M'Nary moved the following resolution:

*Resolved*, That the House will adjourn *sine die*, on Saturday the 26th inst., the Senate concurring therein.

Mr. Bell moved to amend said resolution by inserting after the words "this instant" these words, "if the business of the House shall have been finished."

Mr. Bryant moved to lay said resolution and proposed amendment on the table—

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Bryant, Buell, Carter of M. & C., Claypool, Cox, Daniel, Davenport, Davis of Sh'y, Dunn, Edwards, English, Finch, Fowler, Hanna, Hargrove, Howell, Levenworth, Lewis, Livingston, Mastin, M'Junkin, Mitchell, Moore, Osborn, Palmer, Peyton, Proffit, Rariden, Ribble, Roop,

Sands, Slaughter, Stanford, Steele, Vawter, Watt, and Wilson—40.

*And those who voted in the negative are,*

Messrs. Bonner, Carter of O., Clark, Cravens, Crawford, Crume, Culley, Ferguson of U., Goodbar, Hamilton, Heustis, Lane, Lowe, M'Nary, Parker, Parks, Payne, Pruett, Reid, Ruddick, Shortridge, Skeen, Smith, Wallace and Davis, Speaker—25.

So the same was laid on the table.

Mr. Sands moved to suspend the previous orders of the day and that the House do now consider the engrossed bill from the Senate, appropriating a part of the 3 per cent. fund:

Which motion did not prevail.

Mr. Henley moved the following resolution:

*Resolved*, That the regular meetings of this House, for the remainder of the session, shall be half after 8 o'clock, A. M. and half after one o'clock, P. M.

Mr. Parker moved to amend said resolution by adding thereto the following, to-wit: "and that all business shall be taken up in its order;"

Which motion passed in the affirmative.

Mr. Proffit moved further to amend said resolution by inserting after "half after one o'clock, P. M." "6 o'clock, P. M. and continue in session three hours;"

Which motion was decided in the negative.

The question recurred on the adoption of said resolution,

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Bryant, Buell, Carter of M. & C., Carter of O., Clark, Claypool, Cristler, Culley, Edwards, English, Ferguson of C., Ferguson of U., Hamilton, Henley, Lowe, Palmer, Parker, Parks, Pruett, Rariden, Reid, Ribble, Ruddick, Schoonover, Wallace, Wilson, and Davis, Speaker—28.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Cox, Cravens, Crawford, Crume, Daniel, Davenport, Davis of Sh'y, Dunn, Finch, Fowler, Hanna, Hargrove, Heustis, Howell, Huntington, Lane, Levenworth, Lewis, Livingston, Mastin, M'Junkin, M'Nary, Moore, Os-

born, Payne, Peyton, Proffit, Roop, Sands, Shortridge, Skeen, Slaughter, Smith, Stanford, Steele, and Vawter—38.

So said resolution was not adopted.

A message from the Senate by Mr. Morris their Assistant Secretary:

**MR. SPEAKER,**

The Senate has passed without amendment an engrossed bill of the House of Representatives, entitled:

An act to provide for summoning grand and petit jurors for the next March term of the Parke circuit court.

Mr. Parker from the joint committee of enrolled bills reported, that they had compared the enrolled with the engrossed bills, entitled:

An act to legalize the election of certain probate judges therein named; and

An act supplemental to an act entitled an act to incorporate the Green county seminary;

And find the same truly enrolled:

Whereupon,

The Speaker signed said bills.

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

The Speaker announced the arrival of the hour for passing to bills on their third reading.

The bill for the establishment of a State bank was read the 3d time.

Mr. Proffit moved to recommit said bill to a select committee, with instructions to strike out nine branches and insert four, and to remodel the Bank Districts, according to the population to be benefited by its establishment.

To strike out the 25th section.

To remodel the charter so as to make the mother bank and branches equal participators of the profits and losses of each institution, or rather that each of the branches shall be merely offices of discount and deposit.

To amend the 48th section, so that the ayes and noes, upon any discount or loan, shall at all times be spread upon the records of the bank or branch, at the request of two of the Directors.

To limit the charter to twenty years.

To provide that the State shall take the notes of said bank and branches in payment of taxes and of debts due by individuals to the State.



To provide that the directors of said Bank or Branches shall at no time be indebted to the institutions over which they hold control, over and above \$20,000.

And further to make such amendments as said committee may deem necessary to the safety of the State, or for the prosperity and usefulness of the institution.

Mr. Steele moved to amend said instructions, so as to give the State the appointment of a majority of the directors;

Which motion did not prevail.

Mr. Crume moved to amend said instructions, by expunging therefrom so much thereof as relates to striking out the 25th section;

Which motion was decided in the negative.

The question was then put on the motion of Mr. Proffit to commit,

And the ayes and noes being requested thereon by two members.

*Those who voted in the affirmative are,*

Messrs. Bradbury, Carter of O., Clark, Cristler, Crume, Davenport, Edwards, Ferguson of U., Hamilton, Hanna, Hargrove, Howell, Lane, Levenworth, Lewis, Lowe, Parker, Payne, Proffit, Rariden, Reid, Ribble, Sands, Smith, Steele and Wilson—26.

*And those who voted in the negative are,*

Messrs. Bell, Bradley, Bryant, Buell, Carter of M. & C., Claypool, Cox, Cravens, Crawford, Culley, Daniel, Davis of Sh'y, Dunn, English, Ferguson of C., Finch, Fowler, Goodbar, Henley, Huntington, Livingston, Mastin, M'Junkin, Mitchell, Moore, Osborn, Palmer, Parks, Peyton, Pruett, Roop, Ruddick, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Vawter, Wallace, Watt and Davis, Speaker—42.

So said motion was decided in the negative.

The question was then put, shall said bill pass?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradley, Bryant, Buell, Carter of M. & C., Carter of O., Cox, Cravens, Cristler, Culley, Daniel, Davenport, Davis of Sh'y, Dunn, English, Ferguson of C., Finch, Fowler, Goodbar, Heustis, Huntington, Livingston, Mastin, M'Junkin,

M'Nary, Moore, Osborn, Palmer, Pruett, Roop, Ruddick, Sands, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Vawter, Wallace, Watt, Wooden, and Davis, Speaker—42.

*And those who voted in the negative are,*

Messrs. Bonner, Bradbury, Clark, Claypool, Crawford, Crume, Edwards, Ferguson of U., Hamilton, Hanna, Hargrove, Henley, Howell, Lane, Levenworth, Lewis, Lowe, Mitchell, Parker, Parks, Payne, Peyton, Proffat, Rariden, Reid, Ribble, Smith, Steele and Wilson—29.

So said bill passed.

*Ordered*, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

And then the House ajourned until to-morrow morning at 9 o'clock.

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## SATURDAY, JANUARY 19, 1833.

The House met pursuant to adjournment.

Mr. Steele presented a petition of Moses Robertson and others, praying for a State road from the National Road near Dublin in Wayne county, to intersect the State road leading from Richmond to Logansport;

Which was read and referred to a select committee of Messrs. Steele, Lewis and Stanford.

Mr. Ruddick presented a petition of Aaron Farmer and others, praying for the location of a State road from Shelbyville to Klapp's mills;

Which was read and referred to the committee on roads.

The following message was received on yesterday from the Senate, by Mr. Morris, their Assistant Secretary:

MR SPEAKER,

The Senate recede from their proposed amendment to the second amendment proposed by the House, to the engrossed joint resolution which originated in the Senate, authorizing a subscription for the second volume of Blackford's Reports.

Mr. Moore from the judiciary committee, to which was refer-

red a petition on that subject, reported a bill to quiet certain titles in Mount Vernon, and for the benefit of Thomas Givens;

Which was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time on Monday next.

Mr. Moore from the same committee to which was referred a resolution instructing said committee to enquire whether the 5th section of the act regulating taverns and groceries will enable the citizens of all the towns in this State to remonstrate against groceries; or if in their opinion the 5th section, as it now reads, is only applicable to incorporated towns, &c. reported, that in the opinion of the committee the law regulating taverns and groceries, embraces all towns in this state; therefore deem it inexpedient to legislate on that subject, and ask to be discharged:

Whereupon,

Said committee was discharged accordingly.

Mr. Moore from the same committee to which was referred a resolution instructing said committee to enquire whether any, and if any, what amendment is necessary to make it a crime to compound with persons other than thieves, who may violate the penal laws of this State reported, that in the opinion of the committee it is inexpedient to legislate on that subject;

Which was read and concurred in by the House.

Mr. Moore from the same committee to which was referred, a resolution instructing said committee to enquire into the expediency of changing the time of holding the Circuit Courts in the county of Scott, &c. reported, that there is now a bill before the House making the change contemplated in said resolution; therefore ask to be discharged from the further consideration thereof,

Whereupon,

Said committee was discharged accordingly.

Mr. Moore from the same committee to which was referred a resolution instructing said committee to enquire into the expediency of so amending the act regulating the jurisdiction and duties of justices of the peace, that no citizen shall be sued out of the township in which he lives, except where it appears by affidavit that the debtor intends to evade the law, reported that it is inexpedient to legislate on the subject;

Which was read; when

Mr. Hargrove moved to recommit said report to a select committee, with instructions to report a bill.

On motion of Mr. Bryant,

The same was laid on the table.

Mr. Moore from the same committee to which was referred the following preamble and resolution, to wit:



WHEREAS the fund appropriated in the years 1824 and 1828, towards clearing out obstructions in the Wabash river, being contrary to the compact admitting this State into the Union:

*Resolved*, That the judiciary committee be instructed to enquire into the expediency of repealing so much of those acts as makes the appropriation; and also into the expediency of appropriating said amount to aid in the construction of the Wabash and Erie canal, except so much as was appropriated by certain counties,

Made the following report:

That, in the opinion of the committee, the appropriations referred to, were made in violation of the act of Congress alluded to, and that so much of said fund as was created by a general appropriation of 1828 remain for the present where it is, subject to future disposition by the legislature, and that that part of said fund which was appropriated from certain counties, be equally divided among said counties, subject to such legitimate application as the respective county boards may determine upon, as provided in a bill relating to this subject now laying upon the table; therefore ask to be discharged;

Whercupon,

Said committee was discharged accordingly.

Mr. Moore from the same committee to which was referred a resolution on that subject, reported a bill to repeal an act entitled an act regulating distress for rent, approved February 1st, 1831,

Which was read the first time and passed to a second reading.

Mr. Moore from the same committee to which was referred a petition of Charles Morgan and others, praying relief to certain owners of lands, which have been sold for taxes, in Henry county, reported inexpedient, as any law granting the prayer of the petitioners would be ex-post facto;

Which was read and concurred in by the House.

Mr. Hanna made the following report:

The committee on the affairs of the town of Indianapolis, to which was referred the petition of Peter Smith and others, asking a lot to be set apart for the benefit of people of color, have had that subject under consideration and have directed me to report that it is inexpedient to legislate on that subject; they therefore ask to be discharged from the further consideration of that subject;

Which was read and concurred in.

Mr. Bryant, from the joint committee on enrolled bills report-



ted, that they did on this day present to the Governor for his approval and signature, bills of the following titles, to-wit:

An act to legalize the election of certain probate judges therein named; and

An act supplemental to an act entitled an act to incorporate the Green County Seminary.

A message from the Senate by Mr. Morris, their assistant secretary:

**MR. SPEAKER,**

The Senate has passed engrossed bills from the House of Representatives entitled acts, as follows, to wit:

An act to amend an act entitled an act for the relief of John Boner of Jennings county, approved January 26th, 1832;

An act to provide for the establishment of a State road from Covington to Russelville;

An act for the location of a State road from Chambersburgh, in Fountain county, to Williamsport, in Warren county;

An act supplemental to an act entitled, an act to locate a State road from Merom, in Sullivan county, to a point on the Terre-Haute and Bono State road, approved Jan. 20, 1832.

The 1st and 2d with amendments, the remainder without amendment.

The Senate has passed engrossed bills of the Senate entitled "acts," as follows, to-wit:

An act to relocate a certain State road therein named;

An act for the inspection of certain articles therein enumerated;

An act to amend an act entitled an act regulating the practice in suits at law, approved Jan. 29, 1831;

An act to authorize the Governor to commence suits in the Dearborn circuit, for the recovery of the possession and title to certain lands belonging to the State;

An act to repeal all acts and parts of acts allowing the county commissioners of Dearborn county, to lay an additional tax on said county;

An act to provide for the location of a State road from Newport in Vermillion county via Springfield, Eugene and and Perrys ville to the Northern boundary of said county; and

An act to establish a State road from Bloomington, in Monroe county, to the Great Falls of Eel river; also,

A joint resolution authorising the purchase of a complete set of Niles's Register and a subscription for the future numbers of the Register.

In which joint resolution and bills of the Senate and the amendments proposed to the bills of the House the concurrence of the House of Representatives is requested.

The first amendment proposed by the Senate to the engrossed bill of the House first named in said message, was read.

The question was then put, will the House concur in said amendment—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradley, Bryant, Carter of M. & C., Carter of O., Cox, Cravens, Cristler, Culley, Dunn, Ferguson of U., Finch, Goodbar, Henley, Heustis, Howell, Lane, Osborn, Palmer, Parker, Parks, Payne, Pruett, Rariden, Reid, Roop, Ruddick, Sands, Shortridge, Skeen, Slaughter, Stanford, Wallace, Watt, Wood-  
en and Davis, Speaker—35.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Buell, Clark, Claypool, Crawford, Crume, Davenport, Davis of Sh'y, Edwards, English, Ferguson of C. Fowler, Hanna, Hargrove, Huntington, Levenworth, Lewis, Lowe, McNary, Moore, Peyton, Ribble, Schoonover, Steele, Vawter, and Wilson—27.

So the House concurred in said amendment.

The second and third amendments proposed by the Senate, to said bill, were read and agreed to by the House.

*Ordered,* That the clerk inform the Senate thereof.

The several amendments proposed by the Senate to the second engrossed bill of the House, named in the message, were read and disagreed to by the House.

*Ordered,* That the clerk inform the Senate thereof.

The engrossed bill from the Senate first named in said message;

Was read the first time, and

On motion of Mr. Levenworth,

The same was rejected.

The second engrossed bill from the Senate named in said message, was read the first time.

Mr. Schoonover moved to reject the same—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Bradley, Carter of M. & C., Carter of O., Clark, Claypool, Cox, Cristler, Crume, Edwards, English, Ferguson of U., Fowler, Goodbar, Hamilton, Hanna, Hargrove, Henley, Howell, Lewis, Payne, Pruett, Reid, Ribble, Roop, Sands, Schoonover, Skeen, Steele, Wallace and Davis, Speaker—32.

*And those who voted in the negative are,*

Messrs. Bonner, Bryant, Buell, Cravens, Crawford, Culley, Daniel, Davis of Sh'y, Dunn, Ferguson of C., Finch, Henley, Huntington, Levenworth, Lowe, M'Nary, Mitchell, Osborn, Palmer, Parks, Peyton, Ruddick, Shortridge, Smith, Stanford, Vawter, Wilson and Wooden—28.

So said bill was rejected.

The 3d, 4th, 5th, 6th, and 7th engrossed bills from the Senate named in said message were severally read the first time and passed to a second reading.

The engrossed joint resolution from the Senate named in said message,

Was read the first time, when

Mr. Mitchell moved to reject the same—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Bradley, Buell, Carter of O., Clark, Claypool, Cravens, Cristler, Culley, Ferguson of U., Finch, Goodbar, Hamilton, Hargrove, Henley, Heustis, Levenworth, Lewis, Mitchell, Osborn, Palmer, Parker, Payne, Pruett, Ribble, Sands, Schoonover, Skeen, Smith, Stanford, Wallace, Watt, and Wooden—34.

*And those who voted in the negative are,*

Messrs. Bonner, Bryant, Carter of M. & C., Crume, Daniel, Davenport, Dunn, Edwards, Ferguson of C., Fowler, Hanna, Howell, Huntington, Lowe, Parks, Peyton, Reid, Shortridge, Steele, Vawter, and Wilson—21.

So said joint resolution was rejected.



A message from the Governor, by Mr. Maguire, his private Secretary:

MR. SPEAKER,

I am instructed by His Excellency, the Governor to inform the House of Representatives, that he did, on yesterday, approve and sign sundry bills and a memorial, which originated in the House of Representatives, viz:

A act appointing a commissioner on roads No. 10 and No. 26, and authorize the expenditure by him of the balance due said roads, and for other purposes;

An act to repeal an act entitled an act to raise additional revenue in the county of Ripley, approved January 24th, 1831;

An act to establish a State road from Greencastle in the county of Putnam, to the county line of Parke;

An act to re-locate a part of the State road from Rockport to Boonville;

An act to establish a State road from Salem in Washington county to Leesville in Lawrence county;

An act for the relief of James Tiller;

An act to locate a State road from Lafayette in Tippecanoe county, to intersect a State road leading from Delphi in Carroll county to Lake Michigan;

An act to locate a State road from the Ohio line near Hillsborough, Wayne county, to intersect the Winchester and New Castle State road, in Henry county; and

A joint memorial on the subject of a treaty with the Miami nation.

Mr. Cravens from the select committee, to which was referred a petition of the trustees of the town of Madison, on that subject, reported a bill to amend an act entitled an act to incorporate the town of Madison, approved Feb. 4th, 1831;

Which was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time on Monday next.

Mr. Parker from the joint committee on enrolled bills reported that they had compared the enrolled with the engrossed bills, entitled,

An act to provide for summoning grand and petit jurors, for the next March term of the Parke circuit court;

An act supplemental to an act entitled an act to locate a State road from Merom, in Sullivan county, to a point on the Terre-Haute and Bono State road, approved January 20th, 1832; and,



An act to provide for a special session of the Switzerland Circuit Court;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

*Ordered*, That the clerk carry them the Senate for the signature of their President.

Mr. Clark, after having obtained leave, presented a joint resolution, asking a donation of public lands for the benefit of common schools;

Which was twice read (the rules of the House have first been dispensed with) and;

*Ordered*, To be engrossed, and read a third time Monday next.

Mr. Wilson, after having obtained leave presented a bill supplemental to an act entitled an act dividing the State into seven congressional districts;

Which was read the first time; and

On motion of Mr. Bryant,  
The same was rejected.

And then the House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Sands, after having obtained leave, presented a bill appropriating \$500 out of the 3 per cent. fund, to aid in building bridges across Raccoon and Deer creeks, in Putnam county;

Which was read the first time, and

On motion of Mr. Mitchell,  
The same was rejected.

Mr. Stamford, after having obtained leave, presented a bill to locate a State road from New Castle, in Henry county, to Munceytown, in Delaware county;

Which bill was twice read (the rules of the House having first been dispensed with,) and

*Ordered* to be engrossed and read a third time on Monday next.

Mr. Edwards, after having obtained leave, presented a bill to authorize the expenditure of the three per cent. fund, heretofore appropriated for the county of Adams;

Which was read the first time and passed to a second reading.

Mr. Carter of M. & C., after having obtained leave, presented a bill to establish a State road from the town of Michigan, to the town of Jefferson, by the way of Frankfort, in the county of Clinton, Indiana;

Which was read the first time and passed to a second reading.

Mr. Carter of O., after having obtained leave, presented a bill to repeal an act entitled an act regulating medical societies, approved January 30, 1830;

Which was twice read, (the rules of the House having first been dispensed with,) when,

Mr. Ferguson of C. moved to postpone the further consideration thereof indefinitely;

Which motion was decided in the negative.

Said bill was then,

*Ordered* to be engrossed and read a third time on Monday next.

Mr. Osborn, after having obtained leave, presented a bill, authorizing any person to remove a fence or other building, on to his own ground, when he may have found the same to be off of his own land by survey or resurvey;

Which was read the first time and passed to a second reading.

Mr. Fowler, after having obtained leave, presented a bill to provide for the election of a justice of the peace, in the town of St. Omer;

Which was twice read, (the rules of the House having first been dispensed with) and

*Ordered* to be engrossed and read a third time on Monday next.

On motion of Mr. Rariden,

The several orders of the day which precede sundry bills relative the practice in the circuit and inferior courts, were for the present postponed, and the committee of the whole to which those bills were committed, was discharged from their further consideration.

On motion of Mr. Rariden,

Said bills were recommitted to a select committee, with instructions to consolidate their provisions.

*Ordered*, That Messrs. Rariden, Finch and M'Junkin be that committee.

On motion of Mr. Schoonover,

The orders of the day having precedence of the engrossed bill from the Senate, amendatory of the act regulating the practice in suits at law, were for the present postponed, and said bill was committed to the same committee last named.

Mr. Shortridge moved that the several orders of the day which precede the bill for the relief of Lismund Basye be for the present postponed, and that the House do now consider that bill; Which motion was decided in the negative.

The House proceeded to consider the orders of the day.

The engrossed bill from the Senate, to repeal a part of the act regulating the fees and salaries of the several officers and persons therein named; and

The bill to amend an act entitled an act regulating the action of replevin,

Were severally read the second time and committed to the same select committee to which were re-committed sundry bills, relative to the practice in the circuit and inferior courts.

The bill to locate a State road from Rockville, in Parke county, by the way of Roosevelt, to Terre Haute, in Vigo county;

Was read the second time, and

On motion of Mr. Huntington,  
Committed to a select committee.

*Ordered*, That Messrs. Huntington, Pruett and Bryant be that committee.

The bill to locate a State road from James Mar's in Bartholomew county, to Joab Woodruff's in Johnson county; and

The bill providing for the construction of a bridge over Mill creek, in Owen county;

Were read the second and third times (the rules of the House having first been dispensed with) and passed.

*Ordered*, That the same be entitled acts, and that the clerk carry them to the Senate and ask their concurrence.

The bill to incorporate the Liberty School society, was read the second time; and

On motion of Mr. Shortridge,

Said bill was amended, so as to allow the trustees to hold their office until their successors are elected, and if the election for trustees is not held at the meeting of the corporation, therein provided for, it may be held at their next meeting, and also to limit the charter to 25 years.

Said bill was then considered as engrossed, (the rules of the House having first been dispensed with) read a third time and passed.

*Ordered*, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

The bill to amend an act entitled an act relative to county Seminaries; and,

The bill to authorize and require the Seminary trustee of the county of Scott, and Treasurer of the Library of said county, to loan certain monies within their control;

Were severally read the second time; and

*Ordered* to be engrossed and read a third time on Monday next.

Engrossed bills from the Senate of the the following titles, to-wit:

An act to repeal an act to locate a State road from New-Albany to Lexington;

An act to provide indemnification of persons through whose lands roads are or may be located;

An act to locate a State road from Salem, via Middletown, to Orleans, in Orange county, and

An act to declare the post road passing Allensville in Switzerland county, a State road,

Were severally read the second time, and

*Ordered* to be read a third time on Monday next.

The bill to revive an act for the relief of certain purchasers in the reserved township, in Monroe county;

Was read the second time.

Mr. Proffit moved to postpone the further consideration thereof indefinitely;

Which motion was decided in the negative.

Mr. Wooden moved that the rules of the House be dispensed with, that the bill be considered as engrossed and read a third time now;

Which motion did not prevail.

Said bill was then,

*Ordered* to be engrossed and read a third time on Monday next.

The bill to amend an act entitled an act regulating grist mills and millers;

Was read a second time.

Mr. Henley moved to postpone the further consideration thereof indefinitely—

Which motion was decided in the negative.



On motion of Mr. Crume,

Said bill was committed to a select committee.

*Ordered*, That Messrs. Crume, Sands and Cox be that committee.

The engrossed bill from the Senate supplemental to an act to provide for selling the Michigan road lands, to open that part of the Michigan road between Logansport and Lake Michigan, and for other purposes, approved Feb. 2, 1842;

Was read the second time, and

On motion of Mr. Wilson,

Laid on the table.

The engrossed bill from the Senate supplemental to an act to authorize the Agent of the State for the town of the Indianapolis to lay off the lands belonging to the State, into lots and offer the same for sale, approved Feb. 9th, 1821;

Was read the second time, and

On motion of Mr. Hanna,

Committed to the committee on the affairs of the town of Indianapolis.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

**MR. SPEAKER,**

The Senate has passed an engrossed bill entitled an act for the relief of Henry Shirley;

In which the concurrence of the House of Representatives is requested.

The bill names in said message was twice read, (the rules of the House having first been dispensed with,) and ordered to be read a third time on Monday next.

A message from the Senate by Mr. Morris their Assistant Secretary:

**MR. SPEAKER,**

The Senate insist upon the amendments proposed by them to the engrossed bill of the House of Representatives entitled "an act to provide for the establishment of a State road from Covington to Russellville.

The House receded from their disagreement to said amendments.

*Ordered*, That the clerk inform the Senate thereof.

The bill to locate a State road from Greensburgh, by way of Hartsville, to Columbus,

Was read the second time.

On motion of Mr. Ruddiek,

Said bill was amended by adding at the end of the first section the following proviso:

*“Provided* however, That said commissioners, in making said location, shall have power, in their discretion, to intersect the State road from Napoleon, via Camden, Newbern and Columbus to Bloomington, at or west of Newbern.”

*Ordered*, That said amendment be engrossed and the bill read a third time on Monday next.

The engrossed bill from the Senate to establish a State road from the Ohio line in Union county, to Richmond in Wayne county, was read the second time and ordered to be read the third time on Monday next.

On motion of Mr. Rariden,

The several orders of the day which precede the bill to amend an act entitled an act incorporating Congressional townships and providing for public schools therein, were for the present postponed and the House resolved itself into a committee of the whole on said bill, and after some time spent therein the Speaker resumed the chair and Mr. Wilson reported progress and asked leave to sit again;

Which leave was granted by the House.

And the House adjourned until Monday morning at 9 o'clock.

MONDAY, JANUARY 21st, 1833.

The House met pursuant to adjournment.

Mr. Woodruff, to whom leave of absence was heretofore granted, appeared and resumed his seat.

The following message was received from the Senate on Saturday last, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed an engrossed bill of the House of Representatives entitled an act to locate a State road from Martinsville, in the county of Morgan, by the way of Cox's mill and Solomon Dunagan's, in said Morgan county, to Stilesville in the county of Hendricks; without amendment.

Also, bills of the Senate entitled acts, as follows, to wit:

An act to locate a State road from Greencastle, by the way of Putnamville, to Thomas Evans' farm;

An act to provide for the improvement of that part of the Wabash river over which the State of Illinois has concurrent jurisdiction with this State; and

A memorial and joint resolution of the General Assembly relative to fractional Congressional townships;

In which memorial and joint resolution and bills of the Senate, the concurrence of the House of Representatives is requested.

The bill first named and the memorial named in said message were severally read the first time and passed to a second reading,

The bill last named in said message was twice read (the rules of the House having first been dispensed with) and

On motion of Mr. Huntington,  
Laid on the table.

Mr. Crawford presented the following petitions and remonstrances, to wit:

1st. A petition of David M. Hanson and others, praying a continuation of the Michigan road, to Mongoquinon village.

2d. A petition of James Bundy and others, praying a change in the State road leading from Fort Wayne to South Bend.

3d. A remonstrance of sundry citizens of Elkhart county, against giving any portion of said county for the formation of a new county.

4th. A remonstrance of sundry persons against a relocation of the county seat of Lagrange county.

5th. Two petitions of Pleasant Harris and others, praying an additional representative to the district composed of the counties of Allen, Lagrange, Elkhart, St. Joseph and Laporte.

6th. A letter from R. D. Britton, relative to an alteration of a State road from Fort Wayne to South Bend;

Which were severally read and laid on the table.

Mr. Crawford presented a petition of J. A. Liston and others, praying authority for the building a toll bridge over the St. Joseph river, at South Bend;

Which was read and referred to a select committee of Messrs. Crawford, Rariden and Cravens.

On motion of Mr. Bell,

The petition of John McQuarry, Austin Williams and others, presented by himself and laid on the table on the 11th inst., on the subject of the relocation of the State road from Newcastle in Henry county to Noblesville in Hamilton county was taken up and referred to the committee on roads.

Mr. Bell presented a petition of James Noland and others, pray

ing a review of part of the State road leading from New Castle to Crawfordsville; also a remonstrance of Charles Mitchell and others against a change in the road leading from Pendleton, in Madison county to New Castle in Henry county;

Which were severally read and referred to the committee on roads.

On motion of Mr. Rariden,

Mr. Reid had leave of absence from the service of the House until Saturday next.

Mr. Vawter from the committee of ways and means made the following report:

The committee of ways and means, to which was referred so much of the message of His Excellency the Governor as relates to the three per cent. fund, &c. report, that on the adoption of a resolution by this House authorizing a select committee to examine the office of the Agent of the three per cent. fund, the committee of ways and means suspended any investigation of said Agency and its fiscal affairs, in order to have the benefit of the report of the select committee, which report has been made, and on which report of the select committee, this House have and do incline to act; wherefore the committee ask to be discharged from the further consideration of said resolution.

Said committee was thereupon discharged accordingly.

Mr. Moore from the judiciary committee to which was referred a resolution directing said committee to enquire into the expediency of so amending the act regulating the fees and salaries of the several officers and persons therein named, as to reduce the fees of the several officers mentioned in the first section thereof, reported that it is inexpedient so to amend the law;

Which was read and concurred in by the House.

Mr. Rariden from the committee on education to which was referred a petition of James Dill and others, praying relief to the securities of David Kerr, a borrower of seminary funds, reported that it is inexpedient to legislate on that subject, and ask to be discharged from the farther consideration thereof;

Whereupon,

Said committee was discharged accordingly.

Mr. Lane from the committee on roads to which was referred a petition of Aaron Farmer and others, on that subject, reported a bill to establish a State road from Shelbyville, in Shelby county, by the way of Goshen and Newbern in Bartholomew county, to intersect the Indianapolis and Madison State road, near Klapp's mill in Jennings county;

Which was read the first time and passed to a second reading.



Mr. Bell from the select committee to which was referred the petition of sundry citizens of the counties of Madison and Hamilton on that subject, reported a bill to relocate so much of the Knightstown State road as lies between Pendleton in Madison county and Strawtown in Hamilton county;

Which was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time to-morrow.

Mr. Huntington from the select committee to which was committed a bill to locate a State road from Rockville in Parke county, by the way of Roseville, to Terre-Haute in Vigo county, reported the same without amendment.

On motion of Mr. Huntington,  
Said bill was indefinitely postponed.

Mr. Steele from the select committee to which was referred a petition of Meses Robertson and others, on that subject, reported a bill declaring certain roads therein named State roads;

Which was twice read (the rules of the House having first been dispensed with) and laid on the table.

Mr. Rariden from the select committee to which was recommit-  
ted the engrossed bill from the Senate to amend an act entitled "an act regulating the practice in suits at law," approved January 29, 1832, and sundry other bills upon the same subject, reported sundry amendments to said engrossed bill, to wit: by incorporating the substance of the bills last named in said engrossed bill and by the addition of new matter.

Which amendments were read and concurred in by the House; and,

On motion of Mr. Huntington,

*Ordered*, That said bill be recommit-  
ted to a committee of the whole House for to-morrow.

Mr. Henley made the following report:

The select committee to whom was referred a bill to locate a State road from New Albany to Lexington report the same without amendment; and also report a bill to establish a State road from New Albany, in Floyd county, to Lexington in Scott county, via Charlestown in Clark county, and for other purposes.

On motion of Mr. Moore,

*Ordered*, That the bill named in said report be laid on the table.

The bill last named in said report was read the first time and passed to a second reading.

Mr. Bryant, from the joint committee on enrolled bills report-

ted, that they did, on the 18th of this month, present to the Governor for his approval and signature, bills of the following titles to-wit:

An act to provide for a special session of the Switzerland Circuit Court;

An act supplemental to an act entitled an act to locate a State road from Merom, in Sullivan county, to a point on the Terre-Haute and Bono State road, approved January 20th, 1832; and,

An act to provide for summoning grand and petit jurors for the next March term of the Parke circuit court.

Mr. Sands moved the following resolution:

*Resolved*, That the committee on military affairs be instructed to report a bill so amending the militia law as to allow any person compelled to perform military duty, an exemption from the same by working on the public roads running through their respective road districts a number of days corresponding with their failure to muster—those provisions to extend only in time of peace; and that they report by bill or otherwise.

Mr. Bradbury moved to amend said resolution, by inserting after the word "muster" the following:

"Or by paying \$1 for the benefit of the township schools to the treasurer of the township in which they may reside."

Mr. M'Junkin moved to amend said amendment so as to direct the dollar to be paid for the use of the county seminary.

On motion of Mr. Huntington,

Said resolution and proposed amendments were ordered to lie on the table.

Mr. Parker from the joint committee on enrolled bills reported that they had compared the enrolled with the engrossed bills, entitled,

An act for the location of a State road from Chambersburgh in Fountain county to Williamsport in Warren county; and

An act to amend an act entitled an act for the relief of John Boner of Jennings county, approved January 26th, 1832;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

*Ordered*, That the clerk carry them the Senate for the signature of their President.

Mr. Dunn made the following report:

*Resolved*, That the Agent of State for the town of Indianapolis, and the commissioners of the State House be requested to inform the House of Representatives, whether the last around

and in the vicinity of the block north of the State House, were increased in their appraisement price by them, on account of enhancement in their value, owing to the proposed uniting of that block with the present State Square, and to what extent. And also, whether the contemplated change aforesaid was publicly known, as to the reservation of said north block, for that purpose at the last sale of lots;

Which was read, and on the question to adopt the same,  
It was decided in the negative.

Mr. Stanford moved that the several orders of the day, which precede the joint resolution to authorize the sale of the Governor's Circle, be for the present postponed and that the House do now consider said joint resolution;

Which motion was decided in the negative.

Mr. Hanna moved to take up a joint resolution on the subject of public lands, laid on the table on the 24th ultimo;

Which motion was decided in the negative.

A message from the Governor, by Mr. Maguire, his private Secretary:

MR. SPEAKER,

The Governor did on the 19th instant, approve and sign a bill, which originated in the House of Representatives, entitled:

An act to provide for summoning grand and petit jurors, for the next March term of the Parke circuit court;

Mr. Clark, after having obtained leave, presented a bill to exempt the Salem Fire Company, from militia duty, in time of peace;

Which was read the first time, and

On motion of Mr. Cravens,

Laid on the table.

Mr. Livingston, after having obtained leave presented a bill for the relief of James Davis;

Which was twice read, (the rules of the House having first been dispensed with) and

On motion of Mr. Rariden,

Committed to the judiciary committee with the accompanying documents.

Mr. Finch, after having obtained leave, presented a petition of Robert N. Holcomb and others, citizens of Tippecanoe and War-

ren counties, praying for the location of a state road from Crawfordsville through Lagrange to intersect the Lafayette and Chicago road,

Which was read and referred to a select committee consisting of Messrs. Finch, Goodbar, Shortridge and Buell.

On motion of Mr. Sands,

The bill supplemental to an act entitled an act to amend the act entitled an act to establish a State road from William Conelley's in Lawrence county, to Green Castle in Putnam county, approved Feb. 3d, 1832, and laid on the table on the 18th inst., was taken up and ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Payne,

The several orders of the day which precede the bill to relocate a part of the Mauk's ferry State road, were for the present postponed. The committee of the whole to which said bill was committed, was discharged from its further consideration.

On motion of Mr. Payne,

The same was amended by adding the following as an additional section, to-wit:

"That the present county road, in the county of Harrison, commencing at the point near Hays McCallen's, in said county, where said county road intersects the State road from Mauk's ferry to Indianapolis, running from thence to Salisbury, thence to Elijah Hursts, thence to the point where said county road intersects said State road, and that so much of the present State road as lies between said points of intersection be and the same is hereby vacated;

Said bill was then,

*Ordered* to be engrossed and read a third time to-morrow:

On motion of Mr. Steele,

The vote taken yesterday on the rejection of the engrossed bill from the Senate for the inspection of certain articles therein enumerated, was reconsidered.

The question was then put, shall said bill be rejected?

And decided in the negative.

Said bill was then read the second time.

On motion of Mr. Palmer,

Said bill was so amended, as to make its provisions applicable only to the counties of Jefferson, Dearborn, Switzerland, Vanderburgh, Warrick, Vigo and Warren.

On motion of Mr. Shortridge,

The county of Tippecanoe was added to the amendment.



On motion of Mr. Claypool,  
Fountain was added.

On motion of Mr. Bryant,  
Parke was added.

On motion of Mr. Levenworth,  
Crawford was added.

On motion of Mr. Osborn,  
Vermillion was added.

On motion of Mr. Daniel,  
Posey was added,

On motion of Mr. Moore,  
Floyd was added to said amendment of Mr. Palmer.

Mr. Schoonover moved to re-commit said bill to a select committee with instructions to strike out all except so much as relates to the inspection of Parke;

Which motion did not prevail.

*Ordered*, That the amendments be engrossed and that the bill be read a third time to-morrow.

On motion of Mr. Bryant,

The several orders of the day which precede the engrossed bill changing the time of holding the circuit courts in the 1st, 2d, 4th, 5th, and 6th judicial circuits, were for the present postponed;  
Said bill was read the third time and passed.

*Ordered*, That the same be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

A message from the Senate by Mr. Morris their Assistant Secretary:

MR. SPEAKER,

The Senate has passed with amendments an engrossed bill of the House of Representatives, entitled:

An act to incorporate the Ohio and Charlestown Turnpike company;

In which amendments the concurrence of the House of Representatives is requested.

The 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th and 11th amendments of the Senate proposed to the engrossed bill of the House named in said message, were severally read and agreed to by the House.

The 12th amendment proposed by the Senate was read;

Mr. Henley moved to amend the same by striking out of said amendment the words "or all" before the words three per cent. fund.

On motion of Mr. Parker,

The 19th section being the 1st branch of said amendment was stricken out, and to the 20th section (being the second branch of said amendment) the House agreed with an amendment.

The 13th and last amendment made by the Senate to said bill was read and agreed to, with an amendment.

*Ordered*, That the clerk inform the Senate thereof, and ask their concurrence in said amendments of the House to the 12th, and 13th amendment of the Senate.

The House then proceeded to consider the orders of the day.

The bill to permit Jacob Studybaker and Thomas Thomas to keep their mills in operation on the Elkhart river;

Was read the second time, and

*Ordered* to be engrossed and read a third time to-morrow.

On motion of Mr. Crume,

The several orders of the day which precede the bill to amend the act entitled an act incorporating Congressional townships and providing for public schools therein, were for the present postponed, the House again resolved itself into a committee of the whole on said bill, and after some time spent therein the Speaker resumed the chair and Mr. Bonne, reported the same with sundry amendments, which were read and concurred in by the House generally.

Mr Parker moved to lay said bill on the table;

Which motion did not prevail.

Said bill was then,

*Ordered* to be engrossed and read a third time to-morrow.

And then the House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Ribble, after having obtained leave, presented a bill authorizing a change in a part of the Munceytown and Logansport State road;

Which was read the third time (the rules of the House having first been dispensed with) and passed.

*Ordered*, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Mr. Peyton, after having obtained leave, presented a petition of Abram Snapp and others, praying that Dunkintown, in Sullivan county be vacated, also a remonstrance of John Duly against the same;

Which were severally read and referred to a select committee of Messrs. Peyton, Bonner, and Boyd.

Mr. Ferguson of O., after having obtained leave, presented a bill to establish a State road from Corydon, in Harrison county to New Providence, in Clark county, by the way of Greenville, in Floyd county;

Which was twice read, (the rules of the House having first been dispensed with,) and,

On motion of Mr. Payne,

The same was amended by striking out "Corydon" wherever it occurs and inserting in lieu thereof the word "Salisbury."

Said bill was then,

*Ordered* to be engrossed and read a third time to-morrow.

Mr. Davis of Sh'y., after having obtained leave, presented a petition of Robert Hyner and others, praying for a State road from Shelbyville to Vernon;

Which was read and referred to a select committee of Messrs. Davis of Sh'y, Vawter and Fowler.

The House resumed the consideration the of orders of the day.

The engrossed bill from the Senate, to locate a State road from South Bend, in St. Joseph county, via the mouth of Elkhart and seat of justice of Lagrange county to the east line of this State in the direction of Vistula, on Maumee Bay, in the State of Ohio;

Was read the second time, and

*Ordered* to be read a third time to-morrow.

The bill to enable Feme Coverts under twenty-one years to join with their husbands to convey real estate;

Was read the second time, and

On motion of Mr. Stanford,

Committed to a select committee.

*Ordered*, That Messrs. Stanford, Dnnn, and Daniel be that committee.

Bills of the House of the following titles, to-wit:

The bill to establish a State road from Mount Pleasant, in Martin county, to Springfield, in Lawrence county;

The bill to provide for the election of a county treasurer,

The bill to amend an act entitled an act to organize and regulate the militia of the State of Indiana;

The preamble and joint resolution in relation to horses lost by the volunteer militia of Indiana,

The bill to amend an act entitled an act to incorporate the Lawrenceburgh and Indianapolis railroad company;

The bill for the location of a State road from Fairplay, in Green county, to intersect the Vincennes State road near Benjamin Staffords;

The bill to locate a State road from Lagrange, in Tippecanoe county to the State road leading from Williamsport, in Warren county, to Chicago, in the State of Illinois;

The bill providing the mode of opening and repairing public roads and highways in the county of Monroe;

The bill to relocate part of the State road leading from Martinsville, in Morgan county, to Danville, in Hendricks county; and,

The bill to amend the act entitled an act to organize and regulate the militia of the State of Indiana;

Were severally read the second time; and

*Ordered* to be engrossed and read a third time to-morrow.

The bill to amend the act for assessing and collecting the revenue, approved Feb. 10th, 1831:

Was read the second time.

Mr. Vawter moved to commit said bill to the same committee of the whole House to which other bills on the same subject are committed.

Mr. Herley moved to postpone the further consideration thereof indefinitely; when,

On motion of Mr. Steele,  
The same was laid on the table.

Mr. Parker from the joint committee of enrolled bills reported, that they had compared the enrolled with the engrossed bills, entitled:

An act to locate a State road from Martinsville, in the county of Morgan, by the way of Cox's mill and Solomon Dunagauss, in said Morgan county, to Stilesville, in the county of Hendricks; and,

An act to provide for the establishment of a State road from Covington to Russellville; Also,



A joint resolution authorizing a subscription for the second volume of Blackfords reports;

And find the same truly enrolled;

Whereupon,

The Speaker signed said bills and joint resolution.

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

The bill to establish a State road from Marion, in Ripley county, to Shelbyville, in Shelby county, by the way of Zenas, in Jennings county;

Was read the second time, and

On motion of Mr. Fowler,

Postponed until the 2d Monday in December next.

The bill to locate and establish a State road from Orleans, in Orange county, via Livonia, in Washington county to intersect the State road leading from New Albany to Vincennes, in the direction of Greenville, in Floyd county;

Was read a second time, and

On motion of Schoonover,

Committed to a select committee.

*Ordered*, That Messrs. Schoonover, Carter of O. and Moore be that committee.

The engrossed bill from the Senate to amend the act entitled an act for the relief of insolvent debtors, approved Feb. 9th, 1831;

Was read the second time, and

On motion of Mr. Daniel,

Laid on the table.

The engrossed bill from the Senate to authorize the board of commissioners of Knox county to provide for the support of the paupers of said county;

Was read a second time; and

*Ordered* to be read a third time to-morrow.

The bill to amend the act to organize and regulate the militia of the State of Indiana;

Was read a second time.

Mr. Hargrove moved to postpone the further consideration thereof indefinitely; when,

On motion of Mr. Steele,

The same was laid on the table.

The House proceeded to consider bills on their third reading.

The engrossed bill supplemental to an act to regulate ferries;

Was read the 3d time, and

On motion of Mr. Cox,

Committed to a select committee with instructions so to amend the same, as to exempt the county of Morgan, from the provisions of said bill.

*Ordered*, That Messrs. Cox, Mastin, Woodruff and Hamilton be that committee.

The engrossed bill to amend an act entitled an act to incorporate the town of Terre-Haute, approved Jan. 26th, 1832;

Was read the third time; and

On motion of Mr. Huntington,

Committed to a select committee.

*Ordered*, That Messrs. Huntington, Sands, and Peyton be that committee.

The engrossed bill from the Senate to appropriate a part of the three per cent. fund;

Was read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Huntington, from the select committee, to which was committed the engrossed bill to amend an act entitled an act to incorporate the town of Terre-Haute, approved Jan. 26th, 1832, reported the same with one amendment;

Which was read and concurred in by the House.

Said bill was considered as engrossed and read the third time and passed.

*Ordered*, That the same be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

Mr. Schoonover, from the select committee to which was committed the bill to locate and establish a State road from Orleans in Orange county, via Livonia in Washington county, to intersect the State road leading from New Albany to Vincennes, in the direction of Greenville, in Floyd county, after having obtained leave, reported the same with one amendment;

Which was read and concurred in by the House.

Said bill was then ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Vawter,

The several orders of the day which precede the bills to a-

mend the act for assessing and collecting the revenue, were postponed. The committee of the whole was discharged from the further consideration thereof; and

Said bills re-committed to a select committee with instructions to embody their provisions into one act.

*Ordered*, That Messrs. Vawter, Carter of O. and Palmer be that committee.

On motion of Mr. Daniel,

The several orders of the day which precede the bill to quiet certain titles in Mount Vernon and for the benefit of Thos. Givens, were postponed;

Said bill was read the third time and passed.

*Ordered*, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

The engrossed bill authorizing the relocation of a State road in Marion county;

Was read the third time, amended by unanimous consent, and passed.

*Ordered*, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Engrossed bills of the following titles, to wit:

A bill to incorporate a board of trustees for the promotion of schools and education, in Clark's Grant;

A bill for the relief of Moses Matthews;

A bill to relocate a part of the Martinsville, Danville and Frankfort State road, and for other purposes;

A bill to amend an act entitled an act for the location and opening a State road from Logansport, via Turkey creek and Elkhart prairie, to the northern line of the State in the direction of Pigeon prairie, in the Michigan Territory;

A bill to establish a State road from Madison in Jefferson county to Paoli in Orange county;

A bill to locate a State road from New Castle in Henry county to Munceytown in Delaware county; and

A bill to provide for the election of a justice of the peace, in the town of St. Omer;

Were severally read the third time and passed.

*Ordered*, That they be entitled acts and that the clerk carry them to the Senate and ask their concurrence.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate has passed engrossed bills from the House of Representatives entitled acts, as follows, to wit:

An act to establish a certain State road therein named;

An act for the relief of Thomas Speed; both with amendments to each; also,

An act for the relief of James Chess;

An act to establish a State road from John R. Crooks, in Lawrence county, to intersect the Rockport State road at Mark Trueblood's in said county;

An act to establish a State road from the Tobacco landing, in Harrison county, by the way of Laconia, to Corydon in said county, and for other purposes;

An act supplemental to an act entitled an act for the location of a State road from Wood's ferry, on the east branch of White river in Lawrence county, to Bloomfield in Greene county, approved January 24th, 1832;

An act to amend an act providing for the erection of a bridge across Rattlesnake creek in Owen county; and

An engrossed joint resolution relative to the public printing, without amendment.

In which amendments to the 1st and 2d bills the concurrence of the House of Representatives is requested.

The amendments proposed by the Senate to the two bills of the House, first named in said message, were severally read and agreed to by the House.

*Ordered,* That the clerk inform the Senate thereof.

On motion of Mr. Moore,

The vote taken on the passage of the engrossed bill to quiet certain titles in Mount Vernon and for the benefit of Thomas Givens was reconsidered.

Said bill was amended by common consent and passed.

*Ordered,* That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

The engrossed bill from the Senate to amend an act entitled an act to prevent useless and expensive applications to the General Assembly relating to State roads, approved February 3d, 1832,

Was read the third time and passed.

*Ordered,* That the Clerk inform the Senate thereof.

The engrossed bill to amend an act entitled an act to incorporate the town of Madison, approved February 4th, 1831,

Was read the third time.

Mr. Moore moved to recommit the same to a select committee, with instructions to extend its provisions to New Albany, Salem and Lawrenceburgh.

Mr. Wilson moved to amend said instructions, by striking out



so much thereof as exempts persons belonging to fire companies from performing militia duty and working on roads;

Which motion was decided in the negative.

The question recurred on the motion of Mr. Moore,  
And passed in the affirmative.

*Ordered*, That Messrs. Moore, Palmer and Clark be that committee.

On motion of Mr. Schoonover,

The bill to Exempt the Salem fire company from militia duty, was taken up and referred to the same select committee last named.

The engrossed joint resolution asking a donation of public lands for the benefit of common schools,

Was read the third time,

And on the question shall said joint resolution pass?

It was decided in the negative.

So said joint resolution was rejected.

The engrossed bill to repeal an act entitled an act regulating medical societies, approved January 30th, 1830,

Was read a third time.

The question being put, shall said bill pass?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Carter of O., Clark, Claypool, Cox, Cravens, Crawford, Cristler, Crume, Culley, Daniel, Davis of Sh'y, English, Ferguson of C., Ferguson of U., Finch, Goodbar, Hamilton, Hanna, Huntington, Lane, Levenworth, Livingston, Mastin, Mitchell, Moore, Osborn, Palmer, Parker, Parks, Payne, Peyton, Proffit, Pruett, Rariden, Roop, Ruddick, Sands, Schoonover, Shortridge, Smith, Steele, Vawter, Wooden and Woodruff—50.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Davenport, Dunn, Fowler, Hargrove, Henley, Heustis, Howell, Lewis, M'Junkin, M'Nary, Ribble, Skeen, Stanford, Wallace, Watt, Wilson, and Davis, Speaker—19.

So said bill passed.

*Ordered*, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

The engrossed bill to amend an act entitled an act relating to county seminaries,

Was read the third time, and

Before any question was taken thereon;

The House adjourned until to-morrow morning at 9 o'clock.

## TUESDAY, JANUARY 22, 1833.

The House met pursuant to adjournment.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed an engrossed bill of the House of Representatives entitled,

An act to incorporate the Christian College at New Albany, in Floyd county, with one amendment,

In which amendment the concurrence of the House of Representatives is requested.

The amendment of the Senate to the bill named in said message was read and agreed to by the House.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Edwards presented a petition of Andrew Aker and others, praying a law to improve the breed of domestic animals;

Which was read and laid on the table.

Mr. Stanford presented a petition of Jesse H. Healey and others, citizens of Henry county, praying a change in part of the Fort Wayne State road;

Which was read and laid on the table.

Mr. Vawter presented a petition of John Q. McCosky, praying articles of impeachment against C. T. Noble, a justice of the peace in Vigo county;

Which was read and laid on the table.

Mr. Palmer made the following report:

The committee of ways and means to which was referred the subject of the revenue, having examined the tract books in the Auditor's office, while in the discharge of that duty, find that the Auditor has discharged that duty as was required of him; but owing to the acquisitions, by the purchase of 1828, and the canal and Michigan road lands since he last procured tract books and

maps—that part of the State has not yet been furnished. Your committee deem them much needed, as the lands will soon become taxable; they therefore recommend the adoption of the joint resolution herewith reported, entitled

A joint resolution of the General Assembly of the State of Indiana, relative to procuring tract books and maps of the purchase of 1828:

Said joint resolution was read the first time and passed to a second reading.

Mr. Palmer from the committee of ways and means reported a bill making general appropriations for the year 1833;

Which was twice read (the rules of the House having first been dispensed with) and committed to a committee of the whole House for to-morrow.

Mr. Schoonover from the select committee to which was committed a bill to provide for the sale of certain lands therein named, reported the same with one amendment;

Which was read, and

On motion of Mr. Parks,

Said amendment was amended by adding thereto the following, to wit:

“That James Borland, commissioner of the reserved land lying in the county of Monroe, as is in this act named, is hereby authorised, with the concurrence of the lessee, to cancel any unexpired lease, provided it can be done without loss to the state, and if not, to sell the same subject to such lease.”

Said report, as amended, was then concurred in by the House.

Ordered, That the bill be engrossed and read a third time to-morrow.

Mr. Buell from the select committee to which was referred a petition of sundry citizens of Warren and Tippecanoe counties on that subject, reported a bill to establish a State road therein named;

Which was read the first time and passed to a second reading.

Mr. Parker from the joint committee on enrolled bills reported that they had compared the enrolled with the engrossed bills, entitled,

An act to amend an act providing for the erection of a bridge across Rattlesnake creek in Owen county;

An act supplemental to an act entitled an act to locate a State road from Wood's ferry, on the east branch of White river, in Lawrence county, to Bloomfield in Green county, approved January 24, 1832;

An act to establish a State road from John R. Crooks, in

Lawrence county, to intersect the Rockport State road at Mark Trueblood's in said county;

An act to establish a State road from the Tobacco landing in Harrison county, by the way of Laconia, to Corydon in said county and for other purposes;

An act for the relief of James Chess; and also,

A joint resolution relative to the public printing:

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills and joint resolution.

*Ordered*, That the clerk carry them the Senate for the signature of their President.

Mr. Stanford from the select committee to which was committed the bill to enable feme coverts to join with their husbands to convey real estate, reported the same with two amendments;

Which were read and concurred in by the House.

Said bill was then ordered to be engrossed and read the third time to-morrow.

Mr. Peyton from the select committee to which was referred the petition and remonstrance on that subject, reported a bill to vacate Dunkintown in Sullivan county;

Which was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time on to-morrow.

Mr. Crawford made the following report:

The select committee to which was referred the petitions of Jesse and William Morgan, praying for the passage of an act authorizing them to build toll bridges over the Kankakee river, at the upper and lower crossings of said river; and also the petition of Isaac Morgan, praying for the passage of an act to authorize him to build a toll bridge over the Callamick river, on the road now travelled from the town of Laport to Chicago, have had the same under advisement and directed me to report, that it is inexpedient to legislate on that subject, at this time, and ask to be discharged from the further consideration thereof.

Which was read and concurred in by the House.

Mr. Cox from the select committee to which was committed the act supplemental to an act to regulate ferries, reported the same with one amendment;

Which was read and concurred in.

Said bill was then ordered to be engrossed and read a third time to-morrow.



On motion of Mr. Proffit,

*Resolved*, That the public printer be authorized to print 300 copies of the titles of acts, joint resolutions and memorials, which have or shall pass both Houses, at the present session of the General Assembly, to be ready for distribution at the final adjournment of the legislature.

Mr. Carter of O. moved the following resolution:

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of passing a law, at this session of the General Assembly, authorizing the qualified voters of the State of Indiana to say by their vote, at the next August election, whether they want a convention called and the Constitution of the State of Indiana revised or not;

And further, to enquire into the propriety of recommending to the people the certain sections in the said Constitution that ought to be revised, together with the purposed amendments, as follows, to wit:

First, to so amend the third section, in the third article, that the representatives shall be elected once in every two years, on the first Monday in August, by the qualified electors of each county, respectively, and to so amend the fifth section of the third article, that the senators shall be elected for the term of four years, on the first Monday in August, by the qualified voters for representatives;

And to so amend the third section, in the fourth article, that the Governor shall be elected by the qualified electors for representatives, on the first Monday in August, at the places where they shall respectively vote for representatives, and shall hold his office for the term of four years, and until a successor shall be elected and qualified, and shall not be capable of holding it longer than eight years in any term of ten years.

And to so amend the thirteenth section in the fourth article, that the Governor shall, on all extraordinary occasions, convene the General Assembly at the seat of government, or at a different place, if that shall have become, since their last adjournment, dangerous from an enemy, or from contagious disorders; and in case of disagreement between the two Houses, with respect to the time of adjournment, adjourn them to such time as he shall think proper, not beyond the time of their next biennial session;

And so to amend the third and fourth sections in the fifth article, that the circuit courts shall consist of one presiding judge, who shall hold their offices during the term of seven years, if they shall so long behave well;

And to so amend the twelfth section in the fifth article, that a competent number of justices of the peace, shall be elected by the qualified electors in each township in the several counties, and shall continue in office for the term of seven years, if they shall so long behave well, who shall constitute the county court in their

several respective counties, to do the county business, whose powers and duties shall, in every respect, from time to time, be regulated and defined by law;

And to so amend the second section, in the sixth article, that all elections shall be *viva voce*;

And to so amend the third section in the ninth article, that the money which shall be paid as an equivalent, by persons exempt from militia duty, except in times of war, shall be exclusively applied to the support of schools, in the respective townships, in which the said money is collected, in equal proportions to each school in the township; and also all fines assessed and collected for any breach of the penal laws, shall be applied in equal proportions to each school in the township wherein they shall be assessed;

And so to amend the tenth section, in the eleventh article, that the clerks of their respective circuit courts, in their respective counties, shall, by virtue of their office as clerks of their respective circuit courts, hold the office and perform all the duties of recorder in their respective counties, for the term of time for which they are elected clerk of said courts, and report by bill, joint resolution or otherwise;

Which was read; and

On the question shall said resolution be adopted?

It was decided in the negative.

On motion of Mr. Dunn,

The vote taken yesterday on concurring in the 6th amendment made by the Senate, to the engrossed bill of the House to provide for the location of certain State roads therein named, was reconsidered.

The question recurred and was then put, will the House agree to said 6th amendment of the Senate,

And decided in the negative.

So the House disagreed to said 6th amendment.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Smith moved that the several orders of the day which precede the bill to amend an act respecting the Agent of the three per cent. fund, be for the present postponed, and that the House do consider said bill;

Which motion was decided in the negative.

The House proceeded to consider the orders of the day.

The bill amendatory of an act to incorporate the town of Lawrenceburgh;

The bill to amend an act entitled an act for the regulation of the State Prison, approved Jan. 10th, 1831;

The bill changing the name of John Meek and others;

The bill to locate and establish a State road in Elkhart county from the Fort Wayne road near Stephen Stutsman's by the way of the mouth of Elkhart river to the State line in the direction of Edwardsville, in Michigan Territory;

The bill to establish a State road from Fairfield, in Franklin county to West Union in Fayette county; and

The bill for the location of a State road,

Were severally read a second time, and ordered to be engrossed and read the third time to-morrow.

The bill to locate a State road from Andersonton, in Madison county, to Logansport, in Cass county,

Was read the second time, and

On motion of Mr. Cravens,

*Ordered*, That the same do lie on the table.

The engrossed bill from the Senate to incorporate the Monroe county Female Seminary,

Was read the second time, and

*Ordered* to be read a third time to-morrow.

The bill for the location of a State road from Rockville, in Parke county, to Lafayette, in Tippecanone county,

Was read the second time, and

On motion of Mr. Claypool,

Committed to a select committee.

*Ordered*, That Messrs. Claypool, Finch, and Pruett be that committee.

The bill for the relief of the heirs of — Major, was read the second time.

On motion of Mr. Dunn,

Said bill was amended, by filling the blank in the first section before the word "Major" with the word "Arthur" also by filling the 2d blank in said section before the word "county" with the word "Shelby;"

Said bill was then,

*Ordered* to be engrossed and read a third time to-morrow.

The bill to amend the existing laws providing for the election of Representatives in Congress,

Was read the second time.

On motion of Mr. Hargrove,

That part of said bill which relates to a called session of Congress, between the 4th day of March, and 1st Monday of December, was amended by striking out the word "December" and inserting in lieu thereof the word "August."

Mr. Payne moved further to amend said bill by striking out the second section, which provides that the election of members

to Congress shall be held annually on the 1st Monday in August next anterior to their time of service;

Which motion was decided in the negative.

On motion of Mr. Hargrove,

Said bill was further amended, by filling the blank (respecting the number of days notice of the election) to be given by the Governor, with the number "thirty,"

Said bill was then,

*Ordered* to be engrossed and read a third time to-morrow.

On motion of Mr. Wilson,

The bill to locate a State road from Andersonstown, in Madison county, to Loganport, in Cass county, laid on the table to-day, was taken up, and amended by inserting the name of Alex. Chamberlin, as commissioner in the first section; also, by striking out the words "first day of April" in the 2d section, and inserting in lieu thereof the words "first Monday of September."

Said bill was then,

*Ordered* to be engrossed and read a third time to-morrow.

A message from the Governor, by Mr. Maguire, his private Secretary:

MR. SPEAKER,

The Governor did on the 19th instant, approve and sign bills, which originated in the House of Representatives, entitled:

An act to legalize the election of certain probate judges therein named;

An act supplemental to an act entitled an act to incorporate the Green County Seminary;

An act supplemental to an act entitled an act to locate a State road from Merom, in Sullivan county, to a point on the Terre-Haute and Bono State road, approved January 20th, 1832; and,

An act to provide for a special session of the Switzerland Circuit Court.

The bill to attach a part of Shelby county to the county of Decatur;

Was read a second time; and,

On motion of Mr. Davis of Shelby,  
Indefinitely postponed.

The bill to locate the Alquina State road, was read a second time, and



On motion of Mr. Cristler,  
Laid on the table.

The bill for the relief of Wm. Lightfoot, was read a second time.

The question was then put, shall said bill be engrossed for a third reading?

And decided in the negative.

So said bill was rejected.

The bill to locate a State road from Delphi to Munceytown,  
Was read a second time.

On motion of Mr. Ribble,

Said bill was amended, by striking out the name of "David Stipp," and inserting in lieu thereof "Samuel W. Harlan."

Said bill was then ordered to be engrossed and read a third time to-morrow.

The bill to provide for taking the valuation of taxable propetry in this State, preparatory to the introduction of an ad valorem system of taxation,

Was read a second time.

Mr. Henley moved to postpone the further consideration thereof indefinitely.

Mr. Skeen moved to lay said bill on the table;  
Which motion did not prevail.

The question being put on Mr. Henley's motion, to postpone indefinitely—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Bradbury, Bradley, Cravens, Cristler, Edwards, Ferguson of C., Ferguson of U., Henley, Lane, Lewis, Livingston, Mitchell, Osborn, Parker, Parks, Payne, Rariden, Roop, Ruddick, Schoonover, Skeen, Slaughter, Stanford and Steele,—25.

*And those who voted in the negative are,*

Messrs. Bell, Bryant, Buell, Carter of O., Clark, Claypool, Cox, Crawford, Culley, Daniel, Davenport, Davis of Sh'y, Dunn, English, Finch, Fowler, Goodbar, Hamilton, Hanna, Hargrove, Heustis, Howell, Huntington, Levenworth, Lowe, Martin, M'Junkin, M'Nary, Proffit, Pruett, Ribble, Sands, Shortridge,

Smith, Vawter, Wallace, Wilson, Wooden, Woodruff and Davis, Speaker—40.

• So said bill was not indefinitely postponed.

On motion of Mr. Lewis,

Said bill was recommitted to a committee of the whole House for to-morrow.

The bill changing the mode of elections by the General Assembly, was read a second time.

Mr. Cox moved to postpone the further consideration thereof indefinitely—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Bradbury, Bradley, Buell, Claypool, Cox, Cristler, Daniel, Davenport, Davis of Sh'y, Edwards, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hanna, Heustis, Lane, Lowe, Mastin, M'Nary, Osborn, Parker, Parks, Proffit, Pruett, Ribble, Shortridge, Skeen, Slaughter, Stanford, Wallace, Wilson and Woodruff—37.

*And those who voted in the negative are,*

Messrs. Bryant, Carter of O., Clark, Cravens, Crawford, Culley, Dunn, English, Hargrove, Henley, Howell, Huntington, Levenworth, Lewis, Livingston, M'Junkin, Mitchell, Palmer, Payne, Rariden, Ruddick, Sands, Schoonover, Smith, Steele, Vawter, Watt, Wooden and Davis, Speaker—29.

So said bill was indefinitely postponed.

The bill to amend an act entitled an act for the relief of purchasers of lots in the town of Indianapolis, which have become forfeited to the State,

Was read a second time, and

On motion of Mr. Palmer,

Ordered, That it do lie on the table.

The engrossed bill from the Senate to locate a State road from Delphi to Munceytown,

Was read a second time, and

On motion of Mr. Ribble,

Laid on the table.

The bill supplemental to an act entitled, "an act to provide for selling the Michigan road lands, to open that part of the Michi-

gan road between Logansport and Lake Michigan, and for other purposes, approved Feb. 2d, 1832;

Was read a second time.

On motion of Mr. Proffit,

Said bill was committed to a committee of the whole House for this day now.

The House then resolved itself into committee of the whole on said bill, and after some time spent therein, the Speaker resumed the chair, and Mr. Bradbury reported the same with one amendment, which was concurred in by the House.

Mr. Davis of Sh'ly moved to recommit said bill to a select committee;

Which motion was decided in the negative.

Said bill was then,

*Ordered* to be engrossed and read a third time to-morrow.

Mr. Bryant, from the joint committee on enrolled bills reported, that they did, on the this day, present to the Governor for his approval and signature, bills and a joint resolution of the following titles, to-wit:

An act to provide for the establishing a State road from Covington to Russelville;

An act to locate a State road from Martinsville, in the county of Morgan, by the way of Cox's mill and Solomon Dunagans, in said Morgan county, to Stilesville, in the county of Hendricks;

An act to amend an act entitled an act for the relief of John Boner of Jennings county, approved January 26th, 1832;

An act for the location of a State road from Chambersburgh in Fountain county to Williamsport in Warren county;

A joint resolution authorizing a subscription for the second volume of Blackfords reports;

An act to establish a State road from the Tobacco landing, in Harrison county, by the way of Laconia, to Corydon in said county, and for other purposes;

An act to amend an act providing for the erection of a bridge across Rattlesnake creek, in Owen county;

An act for the relief of James Chess;

An act to establish a State road from John R. Crooks, in Lawrence county, to intersect the Rockport State road at Mark Trueblood's in said county;

An act supplemental to an act entitled an act for the location of a State road from Wood's ferry, on the east branch of White river in Lawrence county, to Bloomfield in Greene county, approved January 21th, 1832; and

A joint resolution relative to the public printing,

The engrossed bill from the Senate to establish a State road

from Rockville, in Parke county, via the Narrows of Sugar creek, in said county, to Lafayette in Tippecanoe county;

Was read the second time.

On motion of Mr. Bryant,

Said bill was committed to the same select committee to which is committed a bill of the House of the same title.

The engrossed bill from the Senate to repeal an act entitled an act to vacate the town of Owensville;

Was read a second time.

On motion of Mr. Hargrove,

Said bill was amended by inserting the words "to vacate" before the words "the town of."

*Ordered*, That said amendment be engrossed and the bill read a third time to-morrow.

The engrossed bill from the Senate to establish the boundaries of the counties of Wabash and Miami,

Was read a second time.

On motion of Mr. Wilson,

The same was amended by adding the following as an additional section, to-wit:

*"Be it further enacted*, That the boundry lines of Cass county shall be as follows, to-wit:

Beginning at the western boundary line of the Great Miami reservation, at the intersection of the township line dividing townships twenty-four and twenty-five; thence north, nine miles; thence west eight miles, to the south-west corner of section number fifteen, township twenty-six, north of range one west; thence north, three miles; thence west, three miles to the range line dividing range one and two west; thence north to the boundary line of the purchase of eighteen hundred and twenty-six; thence eastwardly with said boundary line—twenty-four miles to the range line dividing ranges three and four east; thence south, with said range line crossing the Wabash to a point due east of the place of beginning."

*Ordered*, That said amendment be engrossed and the bill read a third time to-morrow.

The bill providing for the location of a State road from Delphi in Carroll county, to Crawfordsville, in Montgomery county;

Was read the second time, and

*Ordered* to be engrossed and read a third time to-morrow.

The bill for the formation of the county of Drayton and for other purposes,



Was read the second time.

Mr. Wilson to amend said bill, by striking out the word "Drayton" wherever it occurs in said bill and inserting in lieu thereof the word "White" in honor of Col. Isaac White, who fell at the battle of Tippecanoe.

Mr. Bryant moved to commit said bill to a committee of the whole House for this day now.

And before any further question was had thereon,

The House adjourned until 2 o'clock P. M.

*2 o'clock, P. M.*

The House met pursuant to adjournment.

On motion of Mr. Palmer,

Leave was granted him to withdraw the memorial of Solon Robinson.

On motion of Mr. English,

Leave was granted him to withdraw the receipt of John Trulock.

Mr. Vawter asked and obtained leave to withdraw the petition and papers of John Boner.

Mr. Cravens moved to reconsider the vote on granting leave to Mr. Vawter to withdraw the papers of John Bonner;

Which motion was decided in the negative.

The House resumed the consideration of the bill for the formation of the county of Drayton and for other purposes, pending at the last adjournment;

The question was put on the motion of Mr. Bryant, to commit said bill to a committee of the whole for this, day now,

And decided in the negative.

The question recurred on the motion of Mr. Wilson to strike out "Drayton" and insert "White."

Mr. Rariden called for a division of the question, and was thereupon put, to-wit: on striking out—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Bradbury, Bryant, Buell, Carter of M. & C., Carter of O., Clark, Cravens, Cristler, Crume, Culley, Daniel, Davenport, Davis of Sh'y, Edwards, English, Ferguson of C., Ferguson of U., Goodbar, Hannegan, Hargrove, Henley, Howell, Huntington, Levenworth, Lewis, Lowe, Moore, Osborn, Payne, Proffit, Pruett, Rariden, Roop, Ruddick, Schoonover, Skeen, Slaughter, Smith, Stanford, Vawter, Wallace, Watt, Wilson and Davis, Speaker—45.

*And those who voted in the negative are,*

Messrs. Bell, Bradley, Claypool, Cox, Crawford, Dunn, Finch, Fowler, Hamilton, Hanna, Heustis, Livingston, Mastin, M'Junkin, M'Nary, Mitchell, Palmer, Parker, Parks, Peyton, Ribble, Sands, Shortridge, Steele Wooden and Woodruff—26.

So said motion passed in the affirmative.

The question was then put on filling the blank with "White" and carried in the affirmative.

Mr. Wilson moved further to amend said bill, by inserting the words, "two miles south of" before the words "north west corner of Tippecanoe county."

Mr. Crume moved to commit said bill to a select committee; Which motion was decided in the negative.

The question recurred on the motion of Mr. Wilson, and decided in the negative.

On motion of Mr. Wilson,

Said bill was further amended, by striking out the name of "Enos Lowe, of Parke county," and inserting in lieu thereof "Hugh B. M'Kean, of Cass county,"

Mr. Wilson moved further to amend said bill, by striking out the name of "John M. Cook" of Madison county, and insert in lieu thereof the name of Wm. Raburn, of Miami county.

Mr. Crume proposed the name of Wm. M'Cormick, of Fountain county.

Mr. Livingston named John Brown, of Lawrence county.

Mr. Steele called for a division of the question, and was thereupon put, to-wit: on striking out.

And decided in the negative.

Mr. Sands moved to reconsider the vote taken on striking out the name of "Enos Lowe."

Mr. Proffit moved to postpone the further consideration of said bill, indefinitely.

The previous question was thereupon called for by Mr. Lewis and was seconded by two members.

It was thereupon put, to-wit: shall the main question be now put?

And decided in the negative.

On motion of Mr. Cristler,

The bill to establish the Alquina State road and laid on the table on this day was taken up, and

On motion of Mr. Crume,

Committed to a select committee.

*Ordered*, That Messrs. Crume, Cristler and Watt be that committee.

Mr. Parker, from the joint committee of enrolled bills reported, that they had compared the enrolled with the engrossed bills, entitled:

An act to incorporate the Christian College at New Albany, in Floyd county, Indiana; and

An act for the relief of Thomas Speed;

And find the same truly enrolled;

Whereupon,

The Speaker signed said bills.

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

The engrossed bill to amend an act entitled an act relating to county seminaries,

Was read the third time, amended by unanimous consent, and passed.

*Ordered*, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

\* On motion of Mr. Rariden,

The several orders of the day which precede the engrossed bill from the Senate, to amend the act regulating the practice in suits at law, were for the present postponed, the House then resolved itself into a committee of the whole on said bill, and after some time spent therein the Speaker resumed the chair and Mr. Bradley reported progress, and asked leave to sit again;

Which leave was granted by the House.

And then the House adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY, JANUARY 23d, 1833.

The House met pursuant to adjournment.

Mr. Bryant presented a petition of John G. Davis and others, citizens of Parke county, praying the passage of a law to legalize the proceedings of the board of commissioners of said county;

Which was read, and

On motion of Mr. Cravens,

Laid on the table.

Mr. Bradbury presented a petition of James Gray and others, citizens of Wayne county, praying a State road from Winchester to the National Road, near Dublin;

Which was read and referred to the committee on roads.

Mr. Payne presented a petition of H. S. Denham and others, with accompanying documents, relative to a change in part of the Mauk's ferry State road:

Which were read and referred to the committee on roads.

Mr. Palmer, from the committee of ways and means, reported a bill making specific appropriations for the year 1833;

Which was twice read (the rules of the House having first been dispensed with) and committed to a committee of the whole House for to-morrow.

On motion of Mr. Rariden,

The several orders of the day which precede the engrossed bill from the Senate to amend an act entitled an act regulating the practice in suits at law, approved January 29, 1831, were for the present postponed. The House again resolved itself into a committee of the whole on said bill and after some time spent therein the Speaker resumed the chair and Mr. Bryant reported the same with sundry amendments.

And on the question,

Will the House concur in said amendments?

It was decided in the negative.

Mr. Huntington moved that the further consideration of said bill be indefinitely postponed—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradley, Bryant, Carter of M. & C., Claypool, Daniel, English, Heustis, Huntington, Lane, Levenworth, Lewis, M'Nary, Parker, Proffit, Pruett, Sands, Schoonover, Skeen, Watt, Wooden and Davis, Speaker—21.



*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Buell, Carter of O., Clark, Cox, Cravens, Crawford, Cristler, Crume, Culley, Davenport, Davis of Sh'y, Dunn, Edwards, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hanna, Hargrove, Howell, Lowe, Mastin, M'Junkin, Mitchell, Moore, Osborn, Palmer, Parks, Payne, Peyton, Rariden, Ribble, Roop, Ruddick, Shortridge, Slaughter, Smith, Stanford, Steele, Vawter, Wallace, Wilson and Woodruff—46.

So said motion was decided in the negative.

Mr. Proffit moved to strike out the 6th section of said bill.

Mr. Pruett moved to lay the same on the table;  
Which motion was decided in the negative.

Mr. Huntington moved to recommit said bill to the same select committee which reported it, with instructions to report each distinct matter in a separate bill.

Mr. M'Junkin moved to amend said instructions, by instructing said committee to except the 6th section;  
Which motion was decided in the negative.

The question was then put on the motion of Mr. Huntington to recommit,  
And decided in the negative.

The question then recurred on the motion of Mr. Proffit to strike out the 6th section—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradley, Bryant, Carter of O., Cravens, Cristler, Crume, Culley, Daniel, Dunn, English, Finch, Fowler, Hamilton, Hargrove, Heustis, Howell, Huntington, Lane, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Osborn, Palmer, Parker, Parks, Payne, Peyton, Proffit, Ribble, Roop, Schoonover, Shortridge, Skeen, Slaughter, Wallace, Wilson, Wooden and Davis, Speaker—40.

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Buell, Carter of M. & C., Clark, Claypool, Cox, Crawford, Davenport, Davis of Sh'y, Edwards, Ferguson of U., Goodbar, Hanna, Levenworth, Mitchell, Moore, Pru-

ett, Rariden, Ruddick, Sands, Smith, Stanford, Steele, Vawter and Watt—26.

So said motion passed in the affirmative.

Mr. Dunn moved further to amend said bill by striking out the 10th section and inserting in lieu thereof the following, to wit:

"That the provisions of the ninth section of the act entitled "an act regulating the jurisdiction and duties of justices of the peace," approved February 10, 1831, be and the same are hereby extended to all cases of imprisonment for fines imposed by convictions in the circuit courts, on presentment or indictment."

Mr. M'Junkin called for a division of the question; and

The first branch thereof being put, to wit:

Shall the 10th section of the bill be stricken out?

It passed in the affirmative.

And on the question to insert the matter proposed,

It was carried in the affirmative.

Mr. Palmèr moved to insert in lieu of the sixth section (stricken out) the following, to wit:

"SEC. 6. That in all cases of debt or assumpsit, depending in the circuit court or before any justice of the peace, it shall be lawful for either party to produce his, her or their book of accounts, and make oath that such is the original book of entries of the party so producing it; and such book, so sworn to, shall be prima facie evidence of the sale or delivery of the goods charged to have been delivered, services rendered or labor performed, which may be therein regularly entered, but the value of such goods, services or labor shall be adjudged by the justice or jury trying the cause, according to other legal evidence, as the right and justice of the case may require. But no statement of either party, sworn in any cause, shall be evidence in favor of such party further than such statement is in direct reply to interrogatories put to him by his adversary; nor shall any such book of entries, sworn to as aforesaid, be evidence of money lent."

On motion of Mr. Dunn,

Said amendment was amended by adding thereto the following proviso, to wit:

"*Provided* however, That if the person charged shall deny under oath the justice of the same, the party producing such charge shall not be allowed for the same, unless he proves it by other testimony;"

And on the question,

Shall said amendment, as amended, be adopted?

It was decided in the negative.

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

On motion of Mr. Mitchell,

The vote taken this day on the amendment proposed by Mr. Palmer to the engrossed bill from the Senate to amend the act entitled an act regulating the practice in suits at law, was reconsidered.

On motion of Mr. Payne,

Said amendment was further amended, by inserting the word "court," after the word "justice."

On motion of Mr. Cravens,

Said amendment was further amended, by striking out all after the word "require" to the word "adversary."

The question was then put on the adoption of said amendment as amended—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Buell, Clark, Claypool, Crawford, Culley, Davenport, Edwards, Henley, Heustis, Levenworth, Mitchell, Osborn, Palmer, Parks, Payne, Pruett, Ruddick, Schoonover and Steele—20.

*And those who voted in the negative are,*

Messrs. Bell, Bradley, Bryant, Carter of M. & C., Carter of O., Cox, Cravens, Cristler, Crume, Daniel, Davis of Sh'y, Dunn, English, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hanna, Hargrove, Howell, Huntington, Lane, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Parker, Peyton, Rariden, Ribble, Roop, Sands, Shortridge, Skeen, Stanford, Vawter, Wallace, Watt, Wilson, Wooden, Woodruff and Davis, Speaker—45.

So said amendment was not adopted.

Mr. Rariden moved to amend said bill by striking out the 16th section, and inserting in lieu thereof the following, to wit:

"SEC. The 47th section of the act entitled an act to organize Probate Courts and defining the powers and duties of executors, administrators and guardians, approved February 10th, 1831, be and the same is hereby repealed, and nothing in the residue of said act shall be so construed as to deprive the circuit

courts of original jurisdiction, in cases where executors, administrators or guardians are parties, in cases at law and in equity, not expressly vested in some other tribunals.

**SEC.** The several Probate Courts are hereby vested of the same power and jurisdiction in the partition of estates and assignment of dower, that now belongs to the several Circuit Courts, to be exercised in the same way, and under the same laws and restrictions, that governs the Circuit Courts, and that concurrent power and jurisdiction are hereby vested in the several Probate Courts, and to be exercised in the same way and under the same restrictions that is confided to the Circuit Courts in the 57th section of the act to which this is an amendment."

Mr. Mitchell called for the previous question and was seconded by two members, which was thereupon put, to wit:

Shall the main question be now put?

And decided in the negative.

Mr. Steele moved that the several orders of the day which precede the bill to amend the road law and for other purposes, be for the present postponed;

Which motion was decided in the negative.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

**MR. SPEAKER,**

The Senate concur in the 1st, 2d, 3d, 4th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 14th and 16th amendments, and in the 35th, 36th, 37th, 38th, 40th, 41st, 42d, 43d and 44th sections (a part of the 19th amendment) proposed by the House to the engrossed bill of the Senate entitled "an act to appropriate part of the three per cent. fund;" but disagree to the 5th, 13th, 15th, 17th and 18th amendments and to the 39th section of said bill, being a part of the 19th amendment. They concur in the 45th section, part of the 19th amendment, with an amendment;

In which the concurrence of the House of Representatives is requested.

The House receded from their said 5th, 15th and 18th amendments and insisted upon their 13th and 17th amendments and upon the 39th section (part of the 19th amendment) to said bill, and concurred in the said amendment of the Senate to the 45th section, part of said 19th amendment.

*Ordered,* That the clerk inform the Senate thereof.

A message from the Senate by Mr. Morris, their assistant secretary:



MR. SPEAKER,

The Senate concur in the amendments proposed by the House of Representatives to the 12th and 13th amendments proposed by the Senate to the engrossed bill of the House entitled "an act to incorporate the Ohio and Charlestown turnpike company; but insist upon the 1st branch (section 19) of the 12th amendment proposed to said bill.

The Senate recede from the 6th amendment proposed by them to the engrossed bill of the House entitled "an act to establish certain state roads therein named."

On motion of Mr. Rarider,

The House insisted upon their disagreement to said 19th section (parcel of said 12th amendment of the Senate to said bill.)

On motion of Mr. Parker,

Ordered, That a committee of free conference be appointed on the part of the House to take into consideration, with a similar committee of the Senate, the disagreeing vote of the two Houses on the subject of said amendment;

Whereupon,

Messrs. Parker and Huntington were appointed that committee on the part of the House.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Steele,

The several orders of the day which precede the bill to amend the road law and for other purposes, were for the present postponed.

On motion of Mr. Palmer,

The committee of the whole was discharged from the further consideration of the same.

Said bill was then read a third time.

Mr. Lane moved to recommit the same to a select committee with instructions to strike out so much of the second section as relates to "running horses."

Mr. Cravens moved to amend said instructions, by inserting after the word "horses," these words, "unless in cases of necessity."

Which was decided in the negative.

The question was then put, on the motion of Mr. Lane to commit,

And decided in the negative.

And on the question, shall said bill pass?

The ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Buell, Carter of O., Cravens, Cristler, Culley, Dunn, Edwards, Ferguson of U., Fowler, Hamilton, Hanna, Heustis, Howell, Levenworth, Lewis, Lowe, Mitchell, Osborn, Palmer, Parker, Parks, Payne, Peyton, Pruett, Rariden, Ribble, Shortridge, Stanford, Steele, Watt and Wilson—32.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Bryant, Carter of M. & C., Clark, Claypool, Cox, Crawford, Crume, Daniel, Davenport, Davis of Sh'y, Finch, Goodbar, Hargrove, Henley, Huntington, Lane, Mastin, M'Nary, Ruddick, Sands, Schoonover, Skeen, Smith, Vawter, Wallace, Wooden, Woodruff and Davis, Speaker—31.

So said bill passed.

*Ordered,* That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Mr. Bryant, from the joint committee of enrolled bills, reported, that they did, on this day, present to the Governor, for his approval and signature, bills of the following titles, to wit:

An act to incorporate the Christian College at New Albany in Floyd county;

An act for the relief of Thomas Speed.

Engrossed bills from the Senate of the following titles, to wit:

An act supplemental to an act to locate a State road from New Albany to Lexington;

An act to provide for the indenmification of persons through whose lands are or may be located;

An act for the relief of Henry Shirley;

An act to declare the postroad passing Allensville in Switzerland county a State road;

An act to locate a State road from Salem via Middletown to Orleans in Orange county;

An act to establish a State road from the Ohio line in Union county, to Richmond, in Wayne county; and

An act to locate a State road from Greensburgh, by way of Hartsville to Columbus;

Were severally read the third time and passed.

*Ordered,* That the clerk inform the Senate thereof and ask their concurrence. in the amendment made by the House to the last named bill.

The engrossed bill to revive an act for the relief of certain purchasers in the reserved township, in Monroe county;  
Was read the third time.

And on the question, shall said bill pass?  
It was decided in the negative.  
So said bill was rejected.

Engrossed bills of the House of the following titles, to-wit:

A bill to authorize and require the Seminary Trustee of the county of Scott and the Treasurer of the Library of said county to loan certain monies within their control;

A bill to relocate so much of the Knightstown State road as lies between Pendleton, in Madison county and Stawtown, in Hamilton county;

A bill supplemental to an act entitled an act to amend the act entitled an act to establish a State road from William Connelly's in Lawrence county, to Greencastle in Putnam county, approved Feb. 3, 1832;

A bill to relocate a part of the Mauk's ferry State road; and

A bill to permit Jacob Studybaker and Thomas Thomas to keep their mills in operation on the Elkhart river,

Were severally read the third time and passed.

*Ordered*, That the same be entitled an acts, and that the clerk carry them to the Senate and ask their concurrence.

The engrossed bill to establish a State road from Corydon in Harrison county to Providence, in Clark county, by the way of Greenville in Floyd county,

Was read the 3d time and passed.

On motion of Mr. Payne,

The title thereof was amended, by striking out the word "Corydon" and inserting "Salisbury."

*Ordered*, That the same be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

The engrossed bill to amend an act entitled "an act incorporating Congressional townships and providing for public schools therein;"

Was read a third time.

And on the question, shall the bill pass?

The ayes and noes being requested by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bonner, Bradbury, Carter of M. & C., Carter of O., Clark, Claypool, Cox, Cravens, Crawford, Culley, Davenport, Davis of Sh'y, Dunn, Edwards, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Heustis, Howell, Huntington, M'Junkin, Mitchell, Parks, Payne, Peyton, Pruett, Rariden, Ribble, Roop, Ruddick, Sands, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Steele, Vawter, Wallace, Watt, Wilson, Wooden, Woodruff, and Davis, Speaker—47.

*And those who voted in the negative, are*

Messrs. Buell, Cristler, Crume, English, Hargrove, Henley, Lane, Levenworth, Lewis, Lowe, M'Nary, Osborn, Palmer, Parker, and Smith—15.

So said bill passed.

*Ordered*, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

The engrossed bill from the Senate to provide for the inspection of certain articles therein enumerated, was read the 3d time and amended by unanimous consent.

The question was then put, shall said bill pass?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Buell, Carter of M. & C., Claypool, Cravens, Crawford, Culley, Dunn, English, Finch, Goodbar, Heustis, Huntington, Lane, Levenworth, Lowe, M'Junkin, Osborn, Palmer, Parker, Proffit, Ruddick, Shortridge, Steele, Wallace and Wilson—26.

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Carter of O., Clark, Cox, Cristler, Crume, Daniel, Davenport, Davis of Sh'y, Edwards, Ferguson of U., Fowler, Hamilton, Hanna, Hargrove, Henley, Howell, Lewis, M'Nary, Mitchell, Parks, Payne, Peyton, Pruett, Rariden, Ribble, Sands, Schoonover, Skeen, Slaughter, Smith, Stanford, Vawter, Watt, Wooden, Woodruff and Davis, Speaker—38.

So said bill was rejected.

Mr. Crume, from the select committee to which was commit-



and the bill to amend an act entitled an act regulating grist mills and millers, (after having obtained leave) reported the same without amendment.

Mr. Howell moved that said bill be indefinitely postponed.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Bradbury, Bradley, Claypool, Cravens, Crawford, Cristler, Culley, Davenport, Davis of Sh'y, Dunn, Edwards, English, Finch, Fowler, Goodbar, Hamilton, Hargrove, Henley, Heustis, Howell, Lane, Lewis, Lowe, Mastin, Mitchell, Parks, Peyton, Pruett, Rariden, Ribble, Roop, Riddick, Shortridge, Stanford, Steele, Wilson, Wooden, Woodruff and Davis, Speaker—42.

*And those who voted in the negative are,*

Messrs. Bryant, Buell, Carter of M. & C., Carter of O., Clark, Cox, Crume, Ferguson of U., Huntington, Levenworth, M<sup>r</sup>. Junkin, M<sup>r</sup>. Nary, Osborn, Palmer, Parker, Payne, Proffit, Sands, Schoonover, Skeen, Slaughter, Vawter, Wallace, and Watt—24.

So said bill was indefinitely postponed.

Mr. Crume from the select committee to which was committed the bill to establish the Alquina State road (after having obtained a further suspension of the order of business) reported the same with two amendments;

Which were severally read and concurred in by the House.

The said bill was then considered as engrossed, read the third time, and passed.

Mr. Lewis moved to amend the title by striking out the word "Alquina" and inserting "Philamoth;"

Which motion did not prevail.

*Ordered*, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

Mr. Hanna, after having obtained leave, made the following report:

The committee on the affairs of the town of Indianapolis, to

which was referred the bill from the Senate, supplemental to an act authorize the agent of State, for the town, to lay off the lands belonging to the State, into lots, and to offer the same for sale, approved Feb. 9th, 1821, have directed me to report the same back with three amendments; the first of said amendments was read and concurred in, and

Before a question was taken on the residue of said amendments, it was,

On motion of Mr. Hargrove,

*Ordered*, That said bill and proposed amendment be laid on the table.

Mr. Claypool, after having obtained leave, made the following report:

The select committee to which was referred an engrossed bill from the Senate, to establish a State road from Rockville in Parke county, via the narrows of Sugar creek, in said county, to Lafayette, in Tippecanoe county, have had the same under consideration, and made three amendments thereto, and directed me to report the same, and ask the concurrence of the House. The same select committee to which was referred a bill of this House, on the same subject, have directed me to report the same without amendment.

The above named amendments to said engrossed bill, were severally read and concurred in.

The said amendments were then considered as engrossed, the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof, and ask their concurrence in the amendments.

The bill of the House reported by said committee was,

On motion of Mr. Bryant,

Laid on the table.

A message from the Governor, by Mr. Maguire, his private Secretary:

MR. SPEAKER,

The Governor has approved and signed acts of the following titles, viz:

An act to provide for establishing a State road from Covington to Russellville;

An act for the location of a State road from Chambersburgh, in Fountain county, to Williamsport, in Warren county;

An act to amend an act providing for the erection of a bridge across Rattlesnake creek, in Owen county;

An act to amend an act entitled an act for the relief of John Boner of Jennings county, approved January 26th, 1832;

An act to establish a State road from the Tobacco landing, in Harrison county, by the way of Laconia, to Corydon in said county, and for other purposes;

An act to locate a State road from Martinsville, in the county of Morgan, by the way of Cox's mill and Solomon Dunagans, in said Morgan county, to Stilesville, in the county of Hendricks;

An act to establish a State road from John R. Crooks, in Lawrence county, to intersect the Rockport State road at Mark Trueblood's in said county;

An act supplemental to an act entitled an act for the location of a State road from Wood's ferry, on the east branch of White river in Lawrence county, to Bloomfield in Greene county, approved January 21th, 1832;

An act for the relief of James Chess; and also,

A joint resolution relative to the public printing,

Which acts and joint resolution originated in the House of Representatives.

And then the House adjourned until to-morrow morning at 9 o'clock.

## THURSDAY, JANUARY 24th, 1832.

The House met pursuant to adjournment.

The following message was received from the Senate on yesterday, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate have passed the following engrossed bills of the House of Representatives, entitled acts, to wit:

An act to provide for building school houses, in congressional township No. 17, north of range No. 9, west, in the county of Vermillion, and

An act to amend the laws now in force, relative to the Wabash and Erie canal.

The first named bill without, and the latter with amendments.

The Senate have also passed engrossed bills of the Senate, entitled acts, of the following titles, viz:

An act to amend an act, entitled an act to appropriate a part of the 3 per cent. fund, and for other purposes, approved February 10th, 1831, and

An act for the relief of Andrew M'Coy.

In which bills of the Senate, and the amendments proposed to the bill of the House, the concurrence of the House of Representatives is requested.

The first and second amendments proposed to the bill of the House secondly above named, were severally read and concurred in by the House, the third amendment proposed to said bill, was read, and before the question was had thereon, it was,

On motion of Mr. Rariden,

*Ordered*, That said bill and amendments, do lie on the table.

The engrossed bill from the Senate first named in said message, Was read the first time and passed to a second reading.

The engrossed bill last named in said message, Was read the first time.

Mr. Smith moved to reject the same;  
Which motion did not prevail.

Said bill then ordered to pass to a second reading.

Mr. Parker from the joint committee on enrolled bills reported that they had compared the enrolled with the engrossed bills, entitled,

An act to provide for building school houses in congressional township No. 17, north of range 9, west, in the county of Vermilion;

An act to amend an act, entitled an act to prevent useless and expensive applications to the General Assembly, relating to state roads, approved February 3d, 1832, and

An act to establish certain state roads therein named;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

*Ordered*, That the clerk carry the same to the Senate for the signature of their President.

On motion of Mr. Pruett, the petition presented on yesterday and laid on the table, praying a law to legalize the proceedings of the board of commissioners of Parke county, was taken up and referred to the committee on the judiciary.

Mr. Palmer, from the committee of ways and means, made the following report, viz:

(SEE APPENDIX B.)



On motion of Mr. Proffit, 1000 copies of said report, was ordered to be printed for the use of the members of the House.

Mr. Hanna, from the committee on the affairs of the town of Indianapolis, reported a bill to authorize the agent of state for the town of Indianapolis, to convey certain lots to the trustees of said town and for other purposes;

Which was twice read (the rules of the House having first been dispensed with) and

On motion of Mr. Stanford, committed to a committee of the whole House for to-morrow.

Mr. Lane made the following reports, viz:

1st. The committee on roads, to which was referred a petition and remonstrance of sundry citizens of Harrison county, on the subject of changing a part of the Mauk's ferry state road, have had the same under consideration, and have directed me to report, that, in the opinion of the committee, it is inexpedient to legislate on that subject, therefore ask to be discharged from the further consideration thereof.

2d. The committee on roads, to which was referred the petition of James Nowland and others, praying for a re-location of a part of the New Castle and Crawfordsville state road, together with two remonstrances against said re-location, have had the same under consideration, and finding a greater number of remonstrators than there is petitioners, have directed me to report it inexpedient to legislate on that subject, and ask to be discharged from the further consideration thereof;

Which were severally read and concurred in by the House.

Mr. Vawter made the following report:

The select committee, to which was referred three several bills of the House, on the subject of assessing and collecting state and county revenue, have had the same under consideration, and report the same back to the House, the first bill with two amendments, the other two without amendment.

The first amendment made by said committee, was read, when

Mr. Wilson moved to amend said amendment, so as to provide that Michigan road and canal lands shall not be taxed until they shall have been sold five years.

Mr. Crawford moved to postpone the further consideration of said bill and proposed amendments, indefinitely.

Mr. Clark called for the previous question, which call was seconded by two members, and was thereupon put, to wit:

Shall the main question be now put?  
And decided in the negative.

On motion of Mr. Palmer, the two bills last named in said report, were laid on the table.

Mr. Palmer, from the select committee, to which was committed the bill to amend an act, entitled an act to incorporate the town of Madison, and a bill to exempt the Salem fire company from performing militia duty in time of peace, reported the former with, and the latter without amendment.

On motion of Mr. Schoonover, said first named bill and amendment, were re-committed to a select committee, with instructions to extend its provisions to all fire companies that have an engine, and to strike out so much as relates to exempting persons composing those companies, from working on roads.

*Ordered*, That Messrs. Schoonover, Palmer and Crume, be that committee.

The other bill reported by said committee, was,  
On motion of Mr. Moore,  
Laid on the table.

Mr. Daniel, after having obtained leave, presented a bill to repeal a part of the 9th section of an act regulating the admission and practice of attorneys and counsellors at law, approved January 31, 1824;

Which was read the first time and passed to a second reading.

Mr. Proffit, after having obtained leave, presented a bill to allow Joseph Morgan, former collector of Pike county, further time to collect any taxes due him;

Which was read the first time and passed to a second reading.

Mr. Steele, after having obtained leave, presented a bill to relocate a part of the Terre Haute state road;

Which was twice read, (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time to-morrow.

Mr. Prueff moved the following resolution:

*Resolved*, That this House will, during the remainder of the present session, meet at half after eight o'clock, A. M. and at half after one o'clock, P. M.

Mr. Proffit moved to lay the same on the table;

Which motion was decided in the negative.

The question was then put, shall said resolution be adopted?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bonner, Bryant, Carter of O. Clark, Cravens, Culley, Ferguson of C., Fowler, Hamilton, Henley, Howell, Lane, Austin, Palmer, Parker, Parks, Payne, Pruett, Rariden, Ribble, Ruddick, Sands, Schoonover, Shortridge, Skeen, Stanford, Steele, Wooden, Woodruff and Davis, Speaker—30.

*And those who voted in the negative, are*

Messrs. Bell, Bradbury, Buell, Carter of M. & C. Claypool, Cox, Crawford, Cristler, Crume, Davenport, Davis of Sh'y, Dunn, Edwards, Ferguson of U., Finch, Hanna, Hargrove, Heustis, Levenworth, Lewis, Lowe, M'Junkin, M'Nairy, Mitchell, Moore, Osborn, Peyton, Proffit, Roop, Smith, Vawter, Wallace, Watt and Wilson—34.

So said resolution was not adopted.

Mr. Hravens moved the following resolution:

*Resolved*, That no new business will be received by this House, after Saturday next.

Which was read, when

Mr. Hargrove moved to postpone the further consideration thereof indefinitely,

And before the question was put thereon,

The House adjourned until 2 o'clock P. M.

*2 o'clock, P. M.*

The House met pursuant to adjournment.

The question recurred on the motion of Mr. Hargrove, depending at the adjournment.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Buell, Carter of M. & C., Carter of O., Clark, Crawford, Davenport, Davis of Sh'y, Edwards, Ferguson of C., Ferguson of U., Fowler, Goodbar, Hanna, Hargrove, Lev-

enworth, Mastin, M'Nary, Mitchell, Osborn, Parks, Payne, Peyton, Rariden, Ribble, Roop, Sands, Schoonover, Shortridge, Slaughter, Steele, Vawter, Wallace, Wilson and Woodruff—36.

*And those who voted in the negative are,*

Messrs. Bryant, Claypool, Cravens, Culley, Hamilton, Heustis, Howell, Lane, Lewis, Lowe, Moore, Ruddick, Skeen, Smith, and Davis, Speaker—15.

So said resolution was indefinitely postponed.

Mr. Moore moved the following preamble and resolution:

Whereas, it has heretofore frequently occurred, that this House has been compelled to adjourn *sine die*, with less than a majority of the members being present, therefore,

*Resolved*, That the Speaker of this House be requested not to deliver to any member thereof, a certificate of his compensation as such member, until after this House shall have adjourned *sine die*

Which was read, when

Mr. Lane moved to lay the same on the table.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Crawford, Hamilton, Huntington, Lane, Lewis, Lowe, Mitchell, Parks, Peyton, Rariden, Ribble, Sands and Steele—14.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Buell, Carter of M. & C., Carter of O., Clark, Claypool, Cox, Cravens, Cristler, Culley, Davenport, Davis of Sh'y, Dunn, Edwards, English, Ferguson of C., Ferguson of U., Fowler, Goodbar, Hanna, Hargrove, Henley, Heustis, Howell, Levenworth, Mastin, M'Nary, Moore, Osborn, Payne, Pruett, Roop, Ruddick, Schoonover, Shortridge, Skeen, Slaughter, Smith, Vawter, Wallace, Wilson, Wooden, Woodruff and Davis, Speaker—45.

So said motion was decided in the negative.

Mr. Vawter moved to amend the same, by striking out all after the word, 'until,' and insert in lieu thereof, the following: 'The day that the House shall have fixed for adjournment.'

Which motion did not prevail.



The question was then put, shall said resolution be adopted,  
And passed in the affirmative.

Mr. Wilson moved to take up the bill to amend the laws now  
in force, relative to the Wabash and Erie Canal;

Which motion was decided in the negative.

The House then proceeded to consider the orders of the day; and  
Resumed the considration of the bill to amend an act entitled an  
act to regulate the practice in suits at law, postponed on yes-  
terday, by a call for the previous question.

The question recurred on the motion of Mr. Rariden to strike  
out the 16th section, and insert other matter;

Which passed in the affirmative.

Mr. Crume moved to strike out the 5th section of said bill;

Which motion was decided in the negative.

Mr. Huntington moved further to amend the bill by adding the  
following as an additional section, viz:

Sec. — That collectors certificates of sales for taxes, given  
to a decedent in his life time, may be sold and transferred in the  
same manner, that written contracts made and executed to a de-  
cedent in his life time, may be sold and transfered, by the pro-  
vision of the 20th section of the act entitled "an act to organize  
probate courts, and defining the powers and duties of Executors,  
Administrators and Guardians" approved Feb. 10, 1831.

Which motion passed in the affirmative.

The question was then put, shall said amendments be engros-  
sed, and the bill read a third time to-morrow —

And the ayes and noes being requested thereon by two mem-  
bers,

*Those who voted in the affirmative, are*

Messrs. Bell, Bonner, Bradbury, Buell, Carter of M. & C.,  
Carter of O., Clark, Claypool, Cravens, Crawford, Davenport,  
Davis of Sh'y. Dunn, Edwards, Ferguson of U., Finch, Fowler,  
Goodbar, Hanna, Hargrove, Heustis, Levenworth, Lewis, M'Na-  
ry, Mitchell, Osborn, Parks, Payne, Peyton, Rariden, Ribble,  
Roop, Ruddick, Sands, Shortridge, Slaughter, Smith, Stanford,  
Steele, Vawter, Wallace, Watt, Wilson, Wooden, and Wood-  
ruff—45.

*And those who voted in the negative, are*

Messrs. Bryant, Cristler, Crume, English, Hamilton, Henley,

Howell, Huntington, Moore, Parker, Pruett, Schoonover, Skeen, and Davis, Speaker—14.

So it was,

*Ordered*, That said amendments be engrossed and the bill read a third time on to-morrow.

Engrossed bills of the Senate of the following titles, to wit:

An act to locate and establish a State road from South Bend in St. Joseph county, via mouth of Elkhart and the seat of justice of Lagrange county to the east line of this State, in the direction of Vistula on Maumee Bay, in the State of Ohio;

An act to authorize the board of commissioners of Knox county, to provide for the support of the paupers of said county;

An act to incorporate the Monroe county Female Seminary;

An act supplemental to an act entitled an act to provide for selling the Michigan road lands, to open that part of the Michigan road between Logansport and Lake Michigan, and for other purposes, approved, Feb. 2, 1832;

An act to repeal an act entitled an act to vacate the town of Owensville, approved January 3d, 1829; and,

An act to define and establish the boundaries of the counties of Wabash and Miami,

Were severally read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof, and ask their concurrence to the amendments made by the House, to the three last named bills.

Engrossed bills and joint resolution of the House of the following titles, to-wit:

A bill to establish a State road from Mount Pleasant, in Martin county, to Springville in Lawrence county;

A bill to provide for the election of a county Treasurer;

A preamble and joint resolution in relation to horses lost by the volunteer militia of Indiana;

A bill to amend an act entitled an act to organize and regulate the militia of the State of Indiana, approved February 10, 1831;

A bill to amend an act entitled an act to incorporate the Lawrenceburgh and Indianapolis railroad company;

A bill for the location of a State road from Fairplay, in Green county, to intersect the Vincennes State road near Benjamin Staffords;

A bill to locate a State road from Lagrange, in Tippecanoe county to the State road leading from Williamsport, in Warren county, to Chicago, in the State of Illinois;

A bill providing the mode of opening and repairing public roads and highways in the county of Monroe;

A bill to relocate part of the State road leading from Martinsville, in Morgan county, to Danville, in Hendricks county;

A bill to locate and establish a State road from Orleans in Orange county, via Livonia, in Washington county, to intersect the state road leading from New Albany to Vincennes in the direction of Greenville, in Floyd county;

A bill to vacate Dunkintown, in Sullivan county;

A bill amendatory of an act to incorporate the town of Lawrenceburgh;

A bill to provide for the sale of certain lands therein named;

A bill to amend an act entitled an act for the regulation of the State Prison, approved January 10th, 1831;

A bill changing the name of John Meek and others;

A bill to locate and establish a State road in Elkhart county, from the Fort Wayne road near Stephen Stutsman's, by the way of the mouth of Elkhart river to the State line, in the direction of Edwardsburgh in Michigan Territory;

A bill to locate a State road from Delphi, to Munceytown;

A bill to establish a State road from Fairfield, in Franklin county, to West Union, in Fayette county; and,

A bill for the location of a State road,

Were severally read the third time and passed.

*Ordered*, That said bills be entitled acts, and that the clerk carry them, together with said joint resolution to the Senate, and ask their concurrence.

The engrossed bill to amend the act entitled an act to organize and regulate the militia of the State of Indiana, approved, Feb. 10th, 1831,

Was read the third time; and

On motion of Mr. Bell,

Committed to a select committee with instructions to authorize the officer calling counts martial to issue subpoenas.

*Ordered*, That Messrs. Bell, Howell and Sands be that committee.

The engrossed bill to enable feme coverts under 21 years of age to join with their husbands to convey real estate;

Was read the third time; and,

On the question, shall said bill pass?

It was decided in the negative.

So said bill was rejected.

The engrossed bill supplemental to an act to regulate ferries, approved Feb. 10th, 1831;

Was read the third time; and

On the question, shall said bill pass?

It was decided in the negative.

So said; bill was rejected.

The engrossed bill to locate a State road from Andersontown in Madison county, to Logansport, in Cass county; and

The engrossed bill providing for the location of a State road from Delphi, in Carroll county, to Crawfordsville in Montgomery county,

Were severally read the third time, amended by unanimous consent, and passed.

*Ordered*, That they be entitled acts, and that the clerk carry them to the Senate and ask their concurrence.

The engrossed bill to amend the existing laws providing for the election of Representatives in Congress,

Was read the third time; and

On motion of Mr. Cully,

Recommitted to a select committee, with instructions to strike out the second section.

*Ordered*, That Messrs. Culley, Bryant, and Cravens be that committee.

The engrossed bill for the relief of the heirs of — Major,  
Was read the third time and passed.

On motion of Mr. Huntington,

The title thereof was amended by inserting the word "Arthur" before the word "Major."

*Ordered*, That it be entitled an act, and that the clerk carry to the Senate and ask their concurrence.

A message from the Senate by Mr. Morris their Assistant Secretary:

MR. SPEAKER,

The Senate continue to insist on the first branch of their 12th amendment to the engrossed bill of the House of Representatives entitled an act to incorporate the Ohio and Charlestown turnpike company, and have appointed Messrs. Lemon and Logan, a committee of free conference, to take into consideration, with the committee appointed on the part of the House, the disagreeing votes of the two Houses upon the subject of said amendment.

They continue to insist on their disagreement to the 13th and 17th amendments and the 39th section, (part of their 19th amendment) proposed by the House to the engrossed bill of the Senate, entitled "an act to appropriate part of the three per cent. fund.



They concur in the amendments made to the bill of the Senate entitled "an act to establish a State road from Rockport in Parke county, via the narrows of Sugar creek, in said county, to Lafayette, in Tippecanoe county; and in the amendment proposed to the bill of the Senate, entitled "an act to locate a State road from Greensburgh, by the way of Hartsville, to Columbus."

The House continue to insist on the 13th and 17th amendments, and on the 39th section, part of the 19th amendment, to the engrossed bill of the Senate to appropriate a part of the three per cent. fund, named in said message, and appointed committees of free conference on their part, to take into consideration with similar committees to be appointed on the part of the Senate, the disagreeing votes of the two Houses, on the subject of said amendments.

On the first named amendment, to-wit: the 13th, Messrs. Vawter and Davenport.

On the second, the 17th, Messrs. Carter of O. and Levenworth.

And on the third, 39th section, Messrs. Wooden and Goodbar, were appointed such committees on the part of the House.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Culley, from the select committee to which was committed the bill to amend the existing laws, providing for the election of Representatives in Congress, reported the same with one amendment; and,

On the question, will the House concur in the report of the committee?

The ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Bryant, Buell, Carter of M. & C., Carter of O., Cox, Cravens, Crawford, Cristler, Crume, Culley, Davenport, Davis of Sh'y, Edwards, English, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hargrove, Henley, Heustis, Huntington, Lane, Levenworth, Lewis, Lowe, Mastin, M'Nary, Moore, Osborn, Parker, Parks, Payne, Pruett, Rariden, Ribble, Ruddick, Sands, Shortridge, Skeen, Slaughter, Smith, Stanford, Wallace, Watt, Wilson, Wooden, Woodruff and Davis, Speaker—53.

*And those who voted in the negative are,*

Messrs. Bradbury, Clark, Claypool, Hanna, Mitchell, Peyton, Schoonover, and Vawter—6.

So said amendment was concurred in.

The question was then put, shall said bill pass?  
And was carried in the affirmative.

*Ordered*, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

Mr. Bryant, from the joint committee on enrolled bills reported, that they did, on this day, present to the Governor for his approval and signature, bills of the following titles, to-wit:

An act to establish certain State roads therein named;

An act to amend an act entitled an act to prevent useless and expensive applications to the Generall Assembly, relating to State roads, approved Feb. 3d, 1832; and

An act to provide for building school houses in congressional township No. 17, north of range No. 9, west, in the county of Vermillion.

Mr. Stanford moved that the several orders of the day which precede the joint resolution to authorize the sale of the Governor's Circle, be, for the present postponed;

Which motion did not prevail.

On motion of Mr. Culley,

The House proceeded to consider bills on their second reading, and,

Resumed the consideration of the bill for the formation of the county of Drayton, and for other purposes, postponed on yesterday by a call for the previous question; the question recurred on the motion of Mr. Sands, to reconsider the vote on striking out the name of Enos Lowe, of Parke county, and inserting in lieu thereof the name of Hugh B. M'Kean, of Cass county, depending when said bill was last under consideration.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bradbury, Bryant, Carter of O., Clark, Cox, Cristler, Edwards, English, Finch, Fowler, Goodbar, Henley, Heustis, Huntington, Levenworth, Mastin, M'Nary, Parker, Parks, Payne, Peyton, Pruett, Sands, Schoonover, Skeen, Slaughter, Smith, Wallace, Wooden, Woodruff, and Davis, Speaker—32.

*And those who voted in the negative, are*

Messrs. Buell, Carter of M. & C., Claypool, Cravens, Crume,

Davenport, Davis of Sh'y, Ferguson of C., Ferguson of U., Hamilton, Hargrove, Lane, Lewis, Lowe, Moore, Osborn, Ribble, Roop, Ruddick, Shortridge, Stanford, Vawter, and Wilson—23.

So said vote was reconsidered.

The question then recurred on striking out the name of Enos Lowe, and inserting in lieu thereof the name of Hugh B. McKean—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Buell, Claypool, Cravens, Crume, Davenport, Davis of Sh'y, English, Ferguson of C., Howell, Roop, Shortridge, Stanford, Vawter, Watt, and Wilson—15.

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Bryant, Carter of M. & C., Carter of O., Clark, Cox, Cristler, Edwards, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hargrove, Herley, Heustis, Huntington, Lane, Levenworth, Lowe, Mastin, McNary, Moore, Osborn, Parker, Parks, Payne, Peyton, Pruett, Ribble, Ruddick, Sands, Schoonover, Skeen, Slaughter, Smith, Wallace, Wood-en, Woodruff and Davis, Speaker—11.

So said motion was decided in the negative.

Mr. Cristler moved to postpone the further consideration of said bill until the second Monday in December next;

Which motion passed in the affirmative.

And then the House adjourned until to-morrow morning at 9 o'clock.

FRIDAY, JANUARY 25th, 1833.

The House met pursuant to adjournment.

On motion of Mr. Lane,

Mr. Palmer had leave of absence from the service of the House until Monday next.

Mr. Schoonover from the select committee to which was re-committed the engrossed bill to amend an act entitled an act to incorporate the town of Madison, reported the same with one amendment:

Which was read and concurred in.

The question was then put, shall said bill pass?

The ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Buell, Carter of M. & C., Carter of U., Cravens, Culley, Dunn, Edwards, Ferguson of U., Hanna, Heustis, Lane, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Junkin, Proffit, Pruett, Rariden, Reop, Ruddick, Sands, Schoonover, Shortridge, Smith, Steele, Vawter, Wallace and Wilson—35.

*And those who voted in the negative are,*

Messrs. Clark, Cox, Crawford, Cristler, Davenport, Davis of Shelby, English, Ferguson of C., Fowler, Hamilton, Hargrove, Henley, Howell, Parker, Parks, Peyton, Riddle, Skeen, Stamford Woodruff and Davis, Speaker—21.

So said bill passed.

Ordered, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Mr. Davis of Shelby, from the select committee to which was referred a petition of sundry citizens on that subject, reported a bill to establish a State road from Shelbyville to Vernon;

Which was read the first time; when,

On motion of Mr. Ruddick,  
Said bill was rejected.

Mr. Rariden from the select committee to which was committed the engrossed bill from the Senate supplementary to an act entitled an act regulating divorces, approved January 14th, 1831, reported the same with one amendment;

Which was read and concurred in by the House.

Said amendment was ordered to be engrossed and the bill read a third time to-morrow.

Mr. Parker made the following report:

The committee of free conference appointed to take into consideration the disagreement of the two Houses, to the 12th a-



amendment proposed by the Senate to the bill of the House to incorporate the Charlestown and Ohio turnpike company, have according to order, had that subject under consideration, and have agreed on the following as a substitute for the amendment proposed by the Senate to said bill:

“Should the board doing county business for Clark county, at any session before said road is commenced, so determine, they shall have the power to declare this act null and void, and construct either a clay or stone turnpike road between the points aforesaid, for which object they may appropriate a part of the three per cent. fund, now or hereafter to be allowed to the said county of Clark, together with such donations and subscriptions as may be made for that purpose, and in that event the road shall be free to all persons travelling the same.”

Which report was read and concurred in by the House.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Buell moved to take up so much of the message from the Senate, laid on the table on yesterday, as relates to the engrossed bill of the Senate, to amend the laws now in force relative to the Wabash and Erie canal;

Which motion was decided in the negative.

On motion of Mr. Rariden,

*Resolved*, That the committee on claims be instructed to enquire into the expediency of allowing Zachariah Ferguson, Stanhope Royster and John Perrin the sum of \$17.80 cents out of the three per cent. fund, for services heretofore rendered by them as commissioners of the State road, from the Ohio line, via Liberty and Connersville, to Indianapolis.

On motion of Mr. Lane,

The resolution offered by Mr. M'Nary and laid on the table on the 18th inst., on the subject of an adjournment *sine die*, was taken up.

Mr. Lane moved to amend said resolution, by striking out the words “Saturday the 24th inst.,” and inserting in lieu thereof the words “Thursday the 31st inst.”

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Bradbury, Carter of M. & C., Carther of O., Claypool, Cravens, Crawford, Edwards, Engrish, Ferguson of C., Ferguson of U., Fowler, Goodbar, Hamilton, Henley, Heustis, Howell, Lane, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Parker, Parks, Peyton, Pruett, Rariden, Ribble, Rud-

dick, Sands, Schoonover, Shortridge, Skeen, Steele, Vawter, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—42.

*And those who voted in the negative are,*

Messrs. Bryant, Buell, Clark, Cox, Cristler, Crume, Culley, Davenport, Davis of Sh'y, Dunn, Hanna, Hargrove, Levenworth, Osborn, Proffit, Roop, Smith and Wilson—18.

So said motion passed in the affirmative.

The question was then put, shall said resolution be adopted?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Bradbury, Carter of M. & C., Carter of O., Claypool, Cravens, Crawford, Culley, Daniel, Davenport, Edwards, English, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hargrove, Henley, Heustis, Howell, Lane, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Parker, Parks, Payne, Peyton, Pruett, Rariden, Ribble, Ruddick, Sands, Schoonover, Shortridge, Skeen, Stanford, Steele, Vawter, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—48.

*And those who voted in the negative are,*

Messrs. Bryant, Buell, Clark, Cox, Cristler, Crume, Davis of Sh'y, Dunn, Ferguson of C., Levenworth, Osborn, Proffit, Roop, Smith and Wilson—15.

So said resolution was adopted.

Mr. Cox, after having obtained leave, presented a bill to appropriate a part of the 3 per cent. fund in the county of Morgan;

Which was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time to-morrow.

Mr. Woodruff, after having obtained leave, presented a bill to locate a state road from Spark's ferry to Indianapolis;

Which was twice read, (the rules of the House having first been dispensed with,) and ordered to be engrossed and read a third time to-morrow.

Mr. Mastin, after having obtained leave, presented a bill to alter a part of the Mooresville and Crawfordsville state road;

Which was twice read, (the rules of the House having first been dispensed with,) and ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Buell,

The engrossed bill from the Senate, to amend the laws now in force relative to the Wabash and Erie canal, was taken up.

On motion of Mr. Dunn,

The vote taken yesterday, on concurring in the first amendment made by the Senate, to said bill, was reconsidered.

On motion of Mr. Dunn,

Said amendment was amended, by adding thereto, the following proviso, to wit:

"*Provided* however, That they may be permitted to keep a sufficient sum on hand, to meet current expenses and contingencies."

The second amendment made by the Senate to said bill, was read and concurred in by the House.

The third amendment was read, when

Mr. Buell moved to amend said amendment, by striking out all after the word 'commissioners,' in the first line, and inserting in lieu thereof, the following, to wit:

"Shall be and they are hereby directed to let out and put under contract, the remaining part of the summit section or middle division of the Wabash and Erie canal, at such time or times previous to the first day of June next, as they may deem most conducive to the interest of the state, or so much thereof as the money on hand, and that to be contracted for under existing laws, may be sufficient to effect; and the advance payment made on contracts, shall, if demanded by contractors hereafter, be four-fifths of the value of the labor actually done, as the same may be estimated by the State Engineer; *Provided*, The Canal Commissioners, may, if they think the interest of the state requires it, retain one half of the amount due contractors, until the work is completed;"

Which motion was carried in the affirmative.

Said amendment as amended, was then agreed to.

The 4th amendment was read and concurred in by the House.

The 5th amendment was read,

And on the question, will the House concur in the same?

It was decided in the negative.

The 6th amendment was read, when

Mr. Smith moved to amend the same, by striking out the word 'two,' and inserting in lieu thereof, the word 'one,' (being the number of Canal Commissioners;)

Which motion was decided in the negative.

On motion of Mr. Buell,

The 6th amendment was amended, by striking out the first 13

lines thereof, and inserting in lieu of the same, the following, to wit:

From and after the passage of this act, three canal commissioners shall be elected, in joint ballot of the General Assembly, to serve for three years, unless sooner removed by joint resolution of the General Assembly, in the manner following, to wit: The person having the highest number of votes, to serve three years; the person receiving the next highest number of votes, to serve two years, and the person receiving the next highest number of votes, to serve one year: should two or more persons receive the same number of votes, the President of the Senate and the Speaker of the House of Representatives, shall decide by lot, the terms of time they shall serve.

Said amendment as amended, was then adopted.

The 7th amendment was read and concurred in by the House.

On motion of Mr. Finch,

The vote taken on the last named amendment, was re-considered.

On motion of Mr. Finch,

Said 7th amendment was amended, by striking out, after the word 'bids,' in the 4th line, and inserting the following, to wit:

"Upon which contracts have been consummated, and names of the persons making the same, and all things in relation to the canal, and every part thereof; and shall carefully file away all bids which may have been or may hereafter be made by any person, subject to the inspection of the Legislature, and it shall be their duty to include in their report, the number of purchasers who may have abandoned the land by them purchased after the 1st, 2d, 3d, 4th and 5th years after their entry. When the canal commissioners believe there is a combination between bidders, prejudicial to the state, they shall suspend the sale of such contracts, and proceed to give another notice, and afterwards to sell the same according to such notice; and said commissioners shall embrace in their report, a detailed statement of such proceedings and contracts, in their annual report to this General Assembly."

Said amendment as amended was then concurred in by the House.

The 8th amendment was read and concurred in by the House.

The 9th amendment was read, when

Mr. Shortridge moved to amend the same, by striking out the word 'passage,' and inserting 'publication in the Indiana Journal and Democrat papers, printed at Indianapolis;'

Which motion did not prevail.



On motion of Mr. Dunn,

Said 9th amendment was amended, by adding, after the word 'passage,' the words 'and publication in the Indiana Journal and Democrat.'

Said amendment as amended was then agreed to.

Said amendments were then ordered to be engrossed, and the bill read a third time to-morrow.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate concur in the report of the committee of free conference, appointed on the part of the Senate, to act with a similar committee appointed by the House, to take into consideration the subject of the disagreeing votes of the two Houses, on the bill of the House to incorporate the Ohio and Charlestown turnpike company;

The House proceeded to consider the orders of the day, and

Resumed the consideration of the bill to amend an act, entitled an act for assessing and collecting the revenue, approved February 10, 1831.

The question recurred on the motion of Mr. Wilson, depending when said bill was last under consideration, which was to amend the first amendment, made by the select committee to said bill, so as to provide that Canal and Michigan road lands, shall not be taxed until they have been five years sold, and being put,

It was decided in the negative.

The first amendment reported by the select committee, was then agreed to.

The second amendment reported by the committee, was read, when

Mr. M'Junkin moved to amend the same so as to require the assessor to give ten days written notice, of the time when he will meet the people of the proper township, and the object thereof, at three of the most public places in each township;

Which motion was decided in the negative.

The said second amendment was then disagreed to.

On motion of Mr. Vawter,

The blank in the fifth section referring to the constable's commissions for collecting delinquent's taxes, was filled with 12 per cent.

On motion of Mr. Howell,

The 5th section was further amended, so as to direct the collection of taxes on stud horses, on or before the first of June, instead of the 15th of June.

Mr. Roop moved to re-consider that vote;  
Which motion did not prevail.

On motion of Mr. Wilson,  
The 8th section was amended so as to extend its provisions to all reserves.

On motion of Mr. Steele,  
The vote taken on the first above amendment reported by the committee, was re-considered, when

Mr. Wilson moved to amend said amendment, by extending its provisions to reserves in unorganized territory, and by protecting all the lands therein named from taxation, for five years after they are sold or reserved;

Which motion was decided in the negative.

And before any further question was taken,

The House adjourned until 2 o'clock, P. M.

*2 o'clock P. M.*

The House met pursuant to adjournment.

Mr. Bell, from the select committee, to which was re-committed the engrossed bill to amend an act, entitled an act to organize and regulate the militia of the state of Indiana, after having obtained leave, reported said bill, amended pursuant to instructions.

In which amendment the House concurred.

The said bill was then considered as engrossed, read a third time and passed.

*Ordered*, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Daniel,

(The rules of the House having been suspended,) the several orders of the day which precede the bill to establish the county seminary of Posey county, were postponed for the purpose of considering that bill.

The committee of the whole House, to which it was committed, was discharged from the further consideration thereof.

On motion of Mr. Daniel,

Said bill was amended by adding the following as an additional section, to wit:

"That the aforesaid commissioners shall have and receive two dollars per day, for their services, to be paid out of the county treasury of the county of Posey."

*Ordered* That said bill be engrossed and read a third time tomorrow.

On motion of Mr. Dunn,  
(The rules of the House having been suspended,) the several orders of the day, which precede the bill to incorporate the Rising Sun insurance company, were for the present, postponed.

*Ordered*, That the committee of the whole House, to which said bill was committed, be discharged from its further consideration.

On motion of Mr. Dunn,  
The bill was amended, by adding the following, as an additional section, to wit:

"Sec. That a copy of the original subscription book of stock shall be filed in the Clerk's office of Dearborn county, within thirty days after the same shall be closed."

And on the question, shall the bill pass?  
It was decided in the negative.

So said bill was rejected.

The House resumed the consideration of the engrossed bill from the Senate, amendatory of the act for assessing and collecting the revenue.

A motion was made by Mr. Buell, to lay the same on the table,  
And decided in the negative.

Mr. Steele moved that the bill be indefinitely postponed;

And on that question,

The ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bonner, Bradbury, Buell, Carter of M. & C. Carter of O. Claypool, Cox, Cravens, Crawford, Cristler, Daniel, Davenport, Davis of Sh<sup>y</sup>, Edwards, English, Ferguson of C., Goodbar, Hamilton, Howell, Huntington, Lane, Mastin, M'Junkin, Osborn, Parker, Parks, Peyton, Pruett, Rariden, Ribble, Roop, Sands, Shortridge, Skeen, Slaughter, Steele. Watt. Wilson, Woodruff and Davis, Speaker—42.

*And those who voted in the negative, are*

Messrs. Bryant, Clark, Crume, Culley, Dunn, Ferguson of U., Finch, Fowler, Hanna, Hargrove, Henley, Heustis, Levenworth, Lewis, Lowe, M'Nary, Mitchell, Moore, Payne, Ruddick, Schoonover, Smith, Stanford, Vawter and Wallace—24.

So said bill was indefinitely postponed,

On motion of Mr. Rariden,

The vote taken this day, on the passage of the bill to incorporate the Rising Sun insurance company, was re-considered.

The question recurring on the passage of said bill,  
And was carried in the affirmative.

*Ordered*, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence.

Mr. Bryant, from the joint committee on enrolled bills report that they had compared the enrolled with the engrossed bills entitled as follow, to-wit:

An act to declare the post road passing Allensville in Switzerland county a State road;

An act to establish a State road from the Ohio line in Union county, to Richmond, in Wayne county;

An act to repeal an act to locate a State road from New Albany to Lexington, approved Feb. 2d, 1832;

An act to establish a State road from Rockville, in Parke county, via the narrows of Sugar creek in said county, to Lafayette, in Tippecanoe county, and for other purposes;

An act to locate a State road from Greensburgh, by way of Hartsville, to Columbus;

An act to provide for the indemnification of persons through whose lands roads are or may be located;

An act for the relief of Henry Shirley;

And find the same truly enrolled;

Whereupon,

The Speaker signed said bills.

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

The House proceeded to consider bills on their second readings.

The bill to amend an act subjecting real and personal estate to execution,

Was read the second time, when,

Mr. Rariden moved to postpone the further consideration thereof indefinitely.



Mr. Crume moved to lay the same on the table,  
Which motion was decided in the negative.

The question recurred on the motion of Mr. Rariden to postpone indefinitely.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Carter of M. & C., Cravens, Crawford, Culley, Davenport, Davis of Sh'y, Ferguson of C., Ferguson of U., Fowler, Hamilton, Hargrove, Howell, Levenworth, Lewis, Lowe, Osborn, Parks, Peyton, Rariden, Ribble, Roop, Schoonover, Shortridge, Skeen, Smith, Wilson, Woodruff and Davis, Speaker—30.

*And those who voted in the negative are,*

Messrs. Bradbury, Bryant, Buell, Clark, Claypool, Cox, Cristler, Crume, Daniel, Dunn, Edwards, Fowler, Hamilton, Hargrove, Howell, Levenworth, Livingston, Mastin, M'Junkin, M'Nary, Mitchell, Parker, Payne, Proffit, Pruett, Ruddick, Sands, Slaughter, Stanford, Steele, Vawter, Wallace, and Watt—35.

So said motion was decided in the negative.

On motion of Mr. Huntington,  
Said bill was committed to a committee of the whole House for to-morrow.

Mr. Mitchell moved to reconsider the vote taken this day, on the indefinite postponement of the bill to amend the act entitled an act for assessing and collecting the revenue;

Which motion was decided in the negative.

The bill to repeal an act entitled an act regulating distress for rent, approved Feb. 10th, 1831,  
Was read the second time.

The hour having arrived for passing to bills on their third reading.

On motion of Mr. Henley,

The rule was suspended and the House continued to consider bills on their second readings; and,

Resumed the consideration of the bill to repeal an act entitled an act regulating distress for rent, approved Feb. 10th, 1832.

Mr. M'Nary moved to postpone the further consideration thereof indefinitely—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Bradbury, Bryant, Buell, Carter of M. & C., Claypool, Cox, Crawford, Cristler, Culley, Davis of Sh'y, Dunn, Edwards, English, Ferguson of C., Ferguson of U., Henley, Huntington, Lane, Levenworth, Lewis, Lowe, Mastin, M'Nary, Moore, Osborn, Parker, Payne, Peyton, Proffit, Pruett, Ribble, Sands, Schoonover, Shortridge, Skeen, Slaughter, Steele, Vawter, Watt and Woodruff—42.

*And those who voted in the negative are,*

Messrs. Carter of O., Clark, Crumes, Finch, Fowler, Goodbar, Hamilton, Hanna, Heustis, Howell, Livingston, M'Junkin, Mitchell, Parks, Rariden, Ruddick, Smith, Stanford, Wallace, Wilson and Davis, Speaker—21.

So said bill was indefinitely postponed.

The engrossed bill from the Senate, to authorize the Governor to commence suit in the Dearborn circuit court, for the recovery of the possession and title to certain lands belonging to the State, Was read a second time; when,

Mr. Finch moved to commit said bill to the judiciary committee;

Which motion did not prevail.

On motion of Mr. Lane,

The same was ordered to lie on the table.

Mr. Proffit, after having obtained leave, moved the following resolution which was read and adopted, to-wit:

*Resolved*, That the Governor be requested to lay before this House any information he may be in possession of, relative to the lands claimed by the State of Indiana, as Salt spring reservations, in Dearborn county.

Engrossed bills, memorial and joint resolution of the General Assembly, of the Senate, of the following titles, to-wit:

An act to repeal all acts and parts of acts, allowing the county commissioners of Dearborn county, to lay an additional tax on said county;

An act to provide for the location of a State road from Newport in Vermillion county, via Springfield Eugene and Perrysville to the northern boundary of said county;

An act to establish a State road from Bloomington, in Monroe county, to the Great falls of Eel river; and

The engrossed memorial and joint resolution of the General Assembly relative to fractional congressional townships,

Were severally read the second time, and

*Ordered* to be read a third time to-morrow.

The bill to authorize the expenditure of the three per cent. fund, heretofore appropriated for the county of Adams,

Was read a second time, and

On motion of Mr. Bryant,

*Ordered*, That the same do lie on the table.

The bill to establish a State road from the town of Michigan to the town of Jefferson, by the way of Frankfort, in the county of Clinton, in Indiana,

Was read the second time, and

*Ordered* to be engrossed and read a third time on to-morrow.

The bill authorizing any person to remove a fence or other buildings, on to his own ground, when he may have found the same to be off of his own land by survey or resurvey,

Was read the second time, when

Mr. Hargrove moved to postpone the further consideration thereof indefinitely.

Which motion did not prevail.

On motion of Mr. Dunn,

Said bill was amended by striking out the word "other" before the word "building";

Said bill was then,

*Ordered* to be engrossed and read a third time to-morrow.

The engrossed bill from the Senate to locate a State road from Green Castle, by the way of Putnamville to Thomas Evan's farm,

Was read a second time.

On motion of Mr. Sands,

Said bill was amended by adding the following as an additional section:

Sec. 7. That the commissioner aforesaid is hereby authorized to draw from the agent of the three per cent. fund, on the order of the board doing county business for said county, and by

his giving bond as is required of other commissioners, the sum of thirty dollars out of the five hundred dollars appropriated to the county of Putnam, to be expended in cutting out said road as mentioned in the first section of this act.

This act to be in force from and after its passage.

Said amendment was then considered as engrossed, the bill read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof and ask their concurrence in the amendment made by the House.

The bill to establish a State road from Shelbyville, in Shelby county, by the way of Goshen and Newbern, in Bartholomew county, to intersect the Indianapolis and Madison State road near Clap's mill in Jennings county,

Was read the second time; when,

Mr. Ruddick moved to amend said bill by adding the following as an additional section:

*"Be it further enacted*, That the act entitled 'an act to establish a State road from Shelbyville, to intersect the Madison State road, in the county of Jennings, approved January, 19th, 1828,' be and the same is hereby repealed."

Mr. Davis of Sh'y moved to recommit said bill to a select committee;

Which motion was decided in the negative.

The question then recurred on the motion of Mr. Ruddick to amend said bill as proposed;

And carried in the affirmative.

On motion of Mr. Davis of Sh'y,

Said bill was further amended, by filling the blank in the 1st section with the name of "George Means" and so much of the road as lies in Shelby county, was directed to be located on the route of the road laid out in 1828;

Said bill was then

*Ordered* to be engrossed and read a third time to-morrow.

The bill to establish a State road from New Albany, in Floyd county, to Lexington, in Scott county, by the way of Charlestown in Clark county, Indiana, and for other purposes,

Was read the second time.

On motion of Mr. Moore,

The blank in the first section was filled with the name of "A. Little."

*Ordered*, That said bill be engrossed and read a third time to-morrow.



The joint resolution of the General Assembly relative to the procuring tract books and maps of the purchase of 1828, was read the second time.

Mr. Proffit moved to amend it by directing the payment of the expenses, out of the Michigan road fund, instead of the State treasury.

A motion was made by Mr. Parker to postpone the joint resolution indefinitely;

And decided in the negative.

The question was then put on the amendment proposed by Mr. Proffit,

And decided in the negative.

*Ordered*, That said joint resolution be engrossed and read a third time to-morrow.

The bill to establish a State road therein named, was read the second time, and

On motion of Mr. Crun.e,

Committed to a committee of the whole House for to-morrow.

The bill to repeal a part of the 9th section of an act regulating the admission and practice of attorneys and counsellors at law approved Jan. 21, 1824,

Was read the second time.

Mr. Bryant moved to commit it the same committee of the whole House to which is committed the bill for the benefit of Asa Church and for other purposes,

Which motion was decided in the negative.

Mr. Howell moved to lay the bill on the table;

Which motion did not prevail.

It was then

On motion of Mr. Stanford,

*Ordered*, That that said bill be indefinitely postponed.

The bill to allow Joseph Morgan, former collector of Pike county, further time to collect the taxes due him,

Was read the second and third times (the rules of the House having first been dispensed with,) and passed.

*Ordered*, That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

The engrossed bill of the Senate to amend an act entitled an act to appropriate a part of the three per cent. fund, and for other purposes,

Was read the second time, and

On motion of Mr. Osborn,  
Indefinitely postponed.

The engrossed bill from the Senate for the relief Andrew M<sup>r</sup> Coy, was read the second time.

Mr. Skeen moved to strike out so much of it as relates to the county of Ripley.

Pending that question,

The said bill was,

On motion of Mr. Roop,  
Indefinitely postponed.

A message from the Governor, by Mr. Maguire, his private Secretary:

MR. SPEAKER,

The Governor has approved and signed acts of the following titles, viz:

An act to incorporate the Christian College at New Albany, in Floyd county, Indiana;

An act to establish certain state roads therein named;

An act to provide for building school houses in congressional township No. 17, north of range 9, west, in the county of Vermillion; and

An act for the relief of Thomas Speed;

All of which originated in the House of Representatives.

The engrossed bill to relocate part of the Terre Haute State road,

Was read the third time and passed.

*Ordered*, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

The engrossed bill from the Senate, to amend the act to regulate the practice in suits at law,

Was read the third time.

Mr. Rariden moved to recommit it to the same select committee to which it was heretofore committed, with instructions to strike out all except what relates to the practice in circuit and probate courts.

Mr. Bryant moved to amend the said instructions, so as to strike out that clause of the bill which repeals the 47th section of the probate act;

Which motion did not prevail.

Mr. Porffit moved to amend the instructions so as to strike out the 5th section of the bill which allows plaintiffs, in actions on appeals from justices of the peace, to the circuit courts, to amend their causes of active in substance as well as form;

Which motion was decided in the negative.

Mr. Finch moved to amend the instructions, so as to direct the committee to report an additional section to the bill as follows:

Sec. That the 30th section of the act relative to crime and punishment, approved Jan. 10th, 1831, be so amended, as to make it discretionary with the court or jury trying the case, to add imprisonment to the fine contemplated by said section, against persons found guilty of a riot:

Which motion was decided in the negative.

Mr. Huntington moved to amend the instructions, so as to direct the committee to arrange the several parts thereof, under appropriate titles, and report the same, so arranged to the House on to-morrow, making such amendments as said committee may think proper;

Which motion passed in the affirmative.

And before any further question was taken on the proposed reference,

The House adjourned until to-morrow morning at 9 o'clock.

## SATURDAY, JANUARY 26th, 1833.

The House met pursuant to adjournment.

On motion of Mr. Lane,

The report made by the committee on military affairs, relative to an election of a Brigadier General in the 22d Brigade, Indiana militia, and laid on the table on the 11th inst., was taken up.

Mr. Dunn moved to postpone the further consideration thereof indefinitely.

On motion of Mr. Hanna,

The committee was discharged from the further consideration thereof.

The question recurred on the motion to postpone,

And was carried in the affirmative.

On motion of Mr. Osborn,

Mr. Hannegan had leave of absence from the service of the House, for and during the remainder of the present session of the General Assembly.

Mr. Proffit moved that the several orders of the day which precede the bill to provide for taking the valuation of taxable property in this state, preparatory to the introduction of an ad valorem system of taxation, be for the present postponed, for the purpose of considering that bill;

Which motion was decided in the negative.

The House then proceeded to consider the orders of the day; and

Resumed the consideration of the bill to amend an act entitled an act regulating the practice in suits at law, approved January 29th, 1831, depending at the last adjournment.

The motion made by Mr. Lane on yesterday, to indefinitely postpone said bill was withdrawn.

The question was then put, on the motion of Mr. Huntington, to recommit it to the same select committee to whom it was heretofore committed,

And passed in the affirmative.

On motion of Mr. Crume,

Messrs. Huntington and Cravens were added to said select committee.

Mr. Parker from the joint committee on enrolled bills reported that they had compared the enrolled with the engrossed bills, entitled,

An act to incorporate the Charlestown and Ohio turnpike company; and

An act to locate a State road from Salem via Middletown to Orleans in Orange county;

And find the same truly enrolled:

Whereupon,

The Speaker signed said bills.

*Ordered*, That the clerk carry the same to the Senate for the signature of their President.

The House proceeded to consider bills on their third reading:

Engrossed bills of the following titles, to wit:

A bill to amend an act entitled an act regulating divorces, approved January 17th, 1831;



A bill to appropriate a part of the three per cent. fund, in the county of Morgan;

A bill to locate a State road from Spark's ferry to Indianapolis;

A bill to alter part of the Mooresville and Crawfordsville State road;

A bill to incorporate the county Seminary of Posey and for other purposes;

A bill to establish a State road from the town of Michigan to the town of Jefferson, by the way of Frankfort in the county of Clinton in Indiana;

A bill to establish a State road from Shelbyville, in Shelby county, by the way of Goshen and Newbern in Bartholomew county, to intersect the Indianapolis and Madison State road, near Klapp's mills in Jennings county; and

A bill to establish a State road from New Albany in Floyd county to Lexington in Scott county, by the way of Charlestown in Clark county, Indiana, and for other purposes,

Were severally read the third time and passed.

*Ordered*, That the same be entitled acts, and that the clerk carry them to the Senate and ask their concurrence.

Engrossed bills and memorial and joint resolution from the Senate of the following titles, to wit:

An act to provide for the location of a State road from Newport in Vermillion county via Springfield, Eugene and Perrysville, to the northern boundary of said county;

An act to establish a State road from Bloomington in Monroe county to the Great falls of Eel river;

A memorial and joint resolution of the General Assembly relative to fractional Congressional townships; and

An act to repeal all acts and parts of acts allowing the county commissioners of Dearborn county, to lay an additional tax on said county,

Were severally read the third time and passed.

On motion of Mr. Dunn,

The title of the last named bill was amended by inserting the word "special," before the word "acts."

*Ordered*, That the clerk inform the Senate of the passage of said bills and memorial and joint resolution, and ask their concurrence to the amendment made by the House, to the last named bill.

The engrossed bill authorizing any person to remove a fence or other building on to his own ground, when he may have found the same to be off of his own land by survey or resurvey,

Was read the third time.

The question was then put, shall said bill pass?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Bryant, Buell, Clark, Claypool, Cox, Cristler, Crume, Culley, Davenport, Davis of Sh'y, Edwards, Ferguson of U., Goodbar, Henley, Howell, Lane, Levenworth, Lowe, Mastin, Mitchell, Osborn, Parker, Parks, Payne, Proffit, Ribble, Roop, Ruddick, Schoonover, Skeen, Stanford, Steele, Wallace, Watt and Woodruff—36.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Carter of M. & C., Carter of O., Cravens, Crawford, Dunn, English, Ferguson of C., Finch, Fowler, Hamilton, Hargrove, Heustis, Lewis, M'Junkin, Moore, Peyton, Proffit, Rariden, Slaughter, Smith, Vawter, Wilson and Davis, Speaker—25.

So said bill passed.

On motion of Mr. Lowe,

The title thereof was amended by striking out the word 'other' before the word "building."

*Ordered,* That the same be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Parker,

The committee of the whole to which was committed the engrossed bill from the Senate to amend the act entitled an act directing the mode of suing out and prosecuting writs of habeas corpus, approved January 12, 1828, was discharged from the further consideration thereof.

Said bill was then read the second time (the rules of the House having first been dispensed with,) and passed.

*Ordered,* That the clerk inform the Senate thereof.

On motion of Mr. Bryant,

The committee of the whole to which was committed, the bill to amend an act entitled an act to prevent useless and expensive applications to the General Assembly relative to State roads was discharged from the further consideration thereof; and

On motion of Mr. Bryant,

Said bill was indefinitely postponed.

On motion of Mr. Howell,

The committee of the whole to which was committed the joint

memorial to the Congress of the United States, on the subject of pre-emption rights, was discharged from the further consideration thereof.

Mr. Wallace moved to postpone the further consideration thereof indefinitely; when,

On motion of Mr. Henley,

*Ordered*, That the same do lie on the table.

On motion of Mr. Vawter,

The committee of the whole to which was committed the bill to appropriate a part of the three per cent. fund, was discharged from the further consideration thereof; and,

On motion of Mr. Culley,

*Ordered*, That the same do lie on the table.

The House resolved itself into a committee of the whole, on the bill to amend the act entitled an act for opening and repairing public roads and highways, approved February 10th, 1831, and two other bills on the same subject, committed to the same committee, and after some time spent therein the Speaker resumed the chair and Mr. Carter of M. & C. reported the same without amendment.

On motion of Mr. Hanna,

The first named bill was amended by adding an additional section, as follows, to wit:

SEC. 2. Any person or persons where their lands are adjoining, may change the direction of State roads, leading or laid through their lands, provided they do not increase the distance or place the same on worse ground: *Provided however*, That where any such changes are made, it shall be the duty of persons making such change, to have the route on which the road may run surveyed, and have a plat of the survey and the field notes thereof recorded in the clerk's office of the county in which any such change may be made, the expense of which shall be paid by the person or persons making such change.

Mr. Vawter moved further to amend the bill by adding the following as an additional section:

"The boards of county commissioners are hereby authorised to district their county into road districts, without reference to township lines, within their county, any usage, law or custom to the contrary notwithstanding."

On motion of Mr. Dunn,

Said amendment was amended by adding thereto the following:

"Except in such counties where the townships are specially incorporated."

The amendment as amended was agreed to by the House.

Mr. Bryant moved further to amend said bill by adding the following as an additional section:

"That supervisors of roads, in lieu of the compensation now allowed them by law for their services, shall be exempt from militia duty in time of peace, during their continuance in office."

Which motion was decided in the negative.

Mr. Hargrove moved to amend said bill by adding the following as an additional section:

"That it shall be the duty of every supervisor, on or before the first Monday in May, annually, to return to the clerk of the county a list of all the lands in his district subject to road tax, together with the names of the owners thereof."

Which motion was decided in the negative.

Mr. Fowler moved to amend said bill, by adding the following proviso:

"*Provided*, That the compensation to supervisors, under the provisions of this act, shall, in no case, exceed one dollar to each."

Which motion was decided in the negative.

On motion of Mr. Crume,

The vote taken on the amendment of Mr. Vawter to said bill was reconsidered.

The question recurring on said amendment,

It was decided in the negative.

*Ordered*, That said bill be engrossed and read a third time on Monday next.

The second above named bill, reported by said committee of the whole, to wit: the bill to amend an act entitled an act for opening and repairing public roads and highways, was,

On motion of Mr. Pruett,

Indefinitely postponed.

The third above named bill, to wit: an engrossed bill from the Senate to amend the act entitled an act for opening and repairing public roads and highways, approved February 10th, 1831, was,

On motion of Mr. Henley,

Indefinitely postponed.

On motion of Mr. Bell,

The committee of the whole House to which was committed the bill to provide for the disposition of the three per cent. fund remaining unexpended in the hands of any commissioner, were discharged from the further consideration thereof.

*Ordered*, That said bill be engrossed and read a third time on Monday next.



On motion of Mr. Henley,

*Ordered*, That Mr. Parker have leave of absence from the service of the House for the remainder of the present session from and after Monday next.

On motion of Mr. Parker,

The committee of the whole House to which was committed the bill to amend the act entitled "an act regulating marriages," approved February 4, 1831, were discharged from the further consideration thereof; and

On motion of Mr. Steele,

The bill was indefinitely postponed.

The House adjourned until 2 o'clock, P. M.

*2 o'clock P. M.*

The House met pursuant to adjournment.

Mr. Steele, after having obtained leave, presented a joint resolution of the General Assembly, for the benefit of State debtors;

Which was twice read, and

On motion of Mr. Hanna,

Laid on the table.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate continue to insist on their disagreement to the 13th and 17th amendments, and on the 39th section, part of the 19th amendment of the House, to the engrossed bill of the Senate to appropriate part of the three per cent. fund, and have appointed committees of free conference on their part, to take into consideration, with similar committees appointed on the part of the House, the disagreeing votes of the two Houses on the subject of said amendments.

On the 1st above named amendment, to-wit: the 13th, Messrs. Beard and Blair.

On the 2d, the 17th, Messrs. Chambers and Pennington.

And on the 3d, section 39, Messrs. Orr and Feeny.

Mr. M'Junkin made the following report, which was read and concurred in, viz:

MR. SPEAKER,

The select committee to which was re-committed the engrossed bill of the Senate, to amend an act, entitled "an act regulating the practice in suits at law," approved January 29, 1831; together with divers bills of various titles, previously referred to the same committee, "with instructions to amend the same by reporting the several matters therein contained, back to this House, under appropriate titles, making such amendments thereto as the committee might deem advisable," have had the same under consideration, and instructed me to report the same back, by striking out the 8th, 9th, 11th, 12th, 13th, 16th and 19th sections of the said bill, and inserting the provisions of the 9th section, in a separate bill, herewith reported, entitled, "A bill to amend the act entitled an act relative to crime and punishment, approved Feb. 10, 1831." The provisions of the 11th, 12th and 13th sections, so stricken out, are contained in a bill from the Senate, herewith reported, entitled, "an act to amend the act entitled an act regulating the jurisdiction and duties of justices of the peace, approved Feb. 10, 1821," to the third section of which bill, the committee propose the following amendment, to wit: after the word "the" and before the word "eleventh" in the 1st line, insert the words "second and". The 16th section is reported back, in the bill from the Senate, entitled "an act to repeal a part of the act regulating the fees and salaries of the several officers and persons therein named," approved Feb. 7th, 1831. The bill herewith reported entitled "a bill to amend 'an act to organize probate courts, and defining, &c., approved Feb. 10th, 1831,'" contains the provisions of the 19th section, so stricken out. The provisions of the 8th section, are embraced in a bill relative to divorces that passed the House this day. In all of which, the committee ask the concurrence of the House.

The amendments to the engrossed bill of the Senate, first named in said report were considered as engrossed, and the bill was read the third time.

And on the question, shall said bill pass?

The ayes and noes being requested by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bradbury, Buell, Carter of M. & C., Clark, Claypool, Cox, Cravens, Crawford, Culley, Davenport, Davis of Sh'y. Dunn, Edwards, Ferguson of C., Ferguson of U., Finch, Goodbar, Hamilton, Hanna, Hargrove, Heustis, Howell, Huntington, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Mitchell, Osborn, Parker, Parks, Payne, Peyton, Rariden, Ribble, Roop, Ruddick, Sands, Shortridge, Slaughter, Smith,

Stanford, Steele, Vawter, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—53.

*And those who voted in the negative, are*

Messrs. Boyd, Bryant, Crume, Daniel, English, Fowler, Henley, Moore, Proffit, Pruett and Skeen—11.

So said bill passed.

*Ordered*, That the Clerk inform the Senate thereof, and ask their concurrence in the amendments.

The bill to amend the act, entitled an act relative to crime and punishment, approved Feb 10, 1831, (reported by said committee,)

Was twice read, (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time on Monday next.

The amendment reported by said committee, to the engrossed bill of the Senate, to amend the act, entitled an act regulating the jurisdiction and duties of justices of the peace, approved Feb. 10, 1831,

Was ordered to be engrossed and said bill, together with the engrossed bill of the Senate last named in said report, read a third time on Monday next.

The bill to amend the act to organize probate courts, and defining the powers and duties of executors, administrators and guardians, approved Feb. 10, 1831, (reported by said committee,)

Was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time on Monday next.

Mr. Goodbar made the following report:

The committee of free conference, on the part of the two Houses, appointed to take into consideration the disagreement of the two Houses, on the amendment to the bill appropriating part of the 3 per cent. fund, have agreed to strike out of the 39th section, the following words, to wit:

After the word enacted, in the 1st line, "that the sum of \$400 or so much thereof as may be necessary, of the said sum of \$500 appropriated by the 1st section of this act, to Putnam county, be and the same is hereby applied to aid the citizens of said county, to build a bridge across the Big Walnut fork of Eel river, either where the state road from Green Castle to Rockville crosses, or where the state road from Green Castle, in the direction of Crawfordsville crosses the same, (discretionary with the board doing county business for said county,) and that William E. Talbott, of



Putnam county, be and he is hereby appointed commissioner to superintend the same."

And insert the following:

"That \$300 out of the \$500 appropriated to the county of Putnam, be and the same is hereby appropriated, to build a bridge across the Big Walnut fork of Bel river, on the state road leading from Green Castle to Rockville, and that William Edmonson be appointed commissioner to superintend the construction of said bridge; and that the further sum of \$100 out of the said \$500, together with the sum of \$200, out of the 3 per cent. fund, apportioned to said county, by an act, entitled an act to appropriate part of the 3 per cent. fund, and for other purposes, approved Feb. 10, 1831, be and the same is hereby appropriated, to build a bridge across said Big Walnut fork, on the state road leading from Green Castle to Crawfordsville, and that Wm. E. Talbott be appointed a commissioner to superintend the construction of said bridge: *Provided*, That the citizens of said county shall subscribe and pay to said commissioners, respectively, an amount, in addition to the sums herein appropriated, sufficient to enable said commissioners to complete said bridges. *Provided, also*, That said commissioners shall, before entering upon the discharge of their duties, each file a bond with the board doing county business, for the faithful performance of their respective trusts, and shall, from time to time, if said board require it, make report of their proceedings; and shall be allowed such compensation for their services, as said board may deem just and reasonable;

Which was read and concurred in by the House.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Parker, from the joint committee on enrolled bills reported, that they did, on this day, present to the Governor for his approval and signature, the following enrolled bills, entitled acts, viz:

An act to establish a State road from Rockville, in Parke county, via the narrows of Sugar creek in said county, to Lafayette, in Tiptecanoe county, and for other purposes;

An act to declare the post road passing Allensville in Switzerland county a State road;

An act to establish a State road from the Ohio line in Union county, to Richmond, in Wayne county;

An act to provide for the indemnification of persons through whose lands roads are or may be located;

An act to repeal an act to locate a State road from New Albany to Lexington, approved Feb. 2d, 1832;

An act to locate a State road from Greensburgh, by way of Hartsville, to Columbus, and

An act for the relief of Henry Shirley;



A message from the Senate by Mr. Morris their Assistant Secretary:

MR. SPEAKER,

The Senate concur in the amendments made by the House to the engrossed bills of the Senate, entitled as follows:

An act supplemental to an act entitled an act to provide for selling the Michigan road lands, to open that part of the Michigan road between Logansport and Lake Michigan, and for other purposes, approved, Feb. 2, 1832;

An act to define and establish the boundaries of the counties of Wabash and Miami, and

An act to repeal an act entitled an act to vacate the town of Owenesville.

To the two last generally, to the first with an amendment, in which the concurrence of the House is requested.

The amendment made by the Senate to the amendments of the House, to the first above named bill, was read and agreed to.

*Ordered*, That the clerk inform the Senate thereof.

On motion of Mr. Crume,

The several orders of the day which precede the bill providing for taking the valuation of the taxable property within this state, preparatory to the introduction of the ad valorem system of taxation, were, for the present postponed.

The House then resolved itself into a committee of the whole on said bill, and after some time spent therein the Speaker resumed the chair and Mr. Clark reported the same with sundry amendments;

Which were read and concurred in by the House.

Mr. Henley moved that the further consideration of said bill be postponed indefinitely;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Cravens, Cristler, Crume, Edwards, Ferguson of C., Ferguson of U., Henley, Lane, Levenworth, Lewis, Livingston, Lowe, M'Junkin, Mitchell, Moore, Osborn, Parker, Parks, Payne, Rariden, Roop, Ruddick, Schoonover, Skeen, Slaughter, Stanford, Steele, Vawter, Wallace and Watt  
—32.

*And those who voted in the negative are,*

Messrs. Boyd, Bryant, Buell, Carter of M. & C., Clark, Clay-

pool, Cox, Crawford, Culley, Daniel, Davenport, Davis of Shy, Dunn, English, Finch, Fowler, Goodbar, Hanna, Hargrove, Heustis, Howell, Huntington, Mastin, M'Nary, Peyton, Proffit, Pruett, Ribble, Sands, Shortridge, Smith, Wooden, Woodruff and Davis, Speaker—34.

So said motion was decided in the negative.

But before any further question was taken on said bill,

The House ajourned until Monday morning at 9 o'clock..

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MONDAY, JANUARY 28, 1833.

The House met pursuant to adjournment.

Mr. Reid, to whom leave of absence was heretofore granted, appeared and resumed his seat.

The Speaker laid before the House, the following communication from the Governor, covering certain documents therein named:

EXECUTIVE DEPARTMENT, }  
Indianapolis, 26th January, 1833. }

THE HON. JOHN W. DAVIS,  
SPEAKER OF THE HOUSE OF REPRESENTATIVES,

Sir:—In compliance with the call made by a resolution of the House, I now lay before it, the correspondence and documents, herewith transmitted, relating to the saline reserve, belonging to the State, in Dearborn county.

Among the documents, will be found a printed report from the committee on public lands, to the Senate of the United States, in which that committee says there is no evidence in the field notes, or in any book, map or plat in any of the offices, that section 25 ever had upon it a salt spring, or was ever reserved as such. Before making this report, the committee by a resolution of the Senate, called on the commissioner of the General Land Office, for all the correspondence, facts and proceedings relating to this reserve; in answer to which, the commissioner suppressed all the material facts of the case, such as the files of his office did afford, and such as must have reversed all the conclusions to which the committee arrived. This opinion, the House will concur in, upon an examination of the letter from the Register of the Land Office at Cincinnati, marked C, and two letters from the Receiver, to the Commissioner of the General Land Office, objecting to the sale, numbered 3 and 4, from which the House will perceive also that

this section has been known as a saline reserve, since 1804, that the U. S. Surveyor returned it as containing a salt spring, superior to any in the Territory of Indiana, and that it has always been known and reserved as such by the Land Offices of the U. States.

N. NOBLE.

Which was read, and

On motion of Mr. Rariden,

*Ordered*, That the same do lie on the table.

The Speaker laid before the House, a petition of John Smith and others, praying the passage of a law to encourage the killing of prairie wolves;

Which was read, and

On motion of Mr. Bryant,

Committed to the same committee of the whole House to which a bill on the same subject is committed.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate concur in the amendments proposed by the House, to the 1st, 3d and 7th amendments proposed by the Senate to the engrossed bill of the House, entitled an act to amend the laws now in force relative to the Wabash and Erie canal, but disagree to the amendment marked "C," to the 6th amendment proposed by the Senate to said bill.

They insist on the 5th amendment proposed by them to said bill.

The Senate concur in the amendment proposed by the House, to the engrossed bill of the Senate to locate a state road from Green Castle, by the way of Putnamville, to Thomas Evau's farm.

The Senate has passed an engrossed bill of the House, entitled an act changing the name of John Meek and others, without amendment.

They have also passed an engrossed bill of the Senate, entitled an act for the encouragement of education.

In which bill of the Senate, the concurrence of the House of Representatives is requested.

The House insisted on their disagreement to said 5th amendment, and on their amendment to the said 6th amendment of the Senate.

*Ordered*, That the clerk inform the Senate thereof.

The bill of the Senate last named in said message,



Was twice read, (the rules of the House having first been dispensed with,) when

Mr. Lane moved to strike out the 1st section of said bill;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Cox, Cristler, Crume, Davis of Sh'y, English, Ferguson of C., Finch, Fowler, Hamilton, Hanna, Hargrove, Henley, Howell, Lane, Livingston, Mastin, Osborn, Peyton, Reid, Schoonover, Skeen, Wallace, Watt, Wilson, Wooden and Davis, Speaker—28.

*And those who voted in the negative are,*

Messrs. Bradbury, Bryant, Buell, Carter of M. & C., Carter of O., Clark, Claypool, Cravens, Crawford, Culley, Daniel, Davenport, Dunn, Edwards, Ferguson of U., Goodbar, Heustis, Levenworth, Lewis, Lowe, M'Junkin, M'Nary, Mitchell, Moore, Parks, Payne, Proffit, Pruett, Rariden, Ribble, Roop, Ruddick, Sands, Shortridge, Smith, Stanford, Steele, Vawter and Woodruff—39.

So said motion was decided in the negative.

Mr. Hargrove moved to amend the 1st section of the bill, by inserting after the words 'one dollar,' the words 'and fifty cents.'

Mr. Lane moved to commit said bill to a committee of the whole House for to-morrow;

Which motion was decided in the negative.

Mr. Howell moved to lay the same on the table.

Which motion did not prevail.

The question recurred on the motion of Mr. Hargrove,

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Cox, Cristler, Crume, Davenport, Davis of Sh'y, English, Ferguson of C., Fowler, Hamilton, Hargrove, Henley, Howell, Lane, Mastin, Osborn, Peyton, Reid, Schoonover, Skeen, Slaughter, Watt, Wilson, Wooden and Davis, Speaker—26.

*And those who voted in the negative are,*

Messrs. Bonner, Bradbury, Bryant, Buell, Carter of M. & C.,



Carter of O., Clark, Claypool, Cravens, Crawford, Culley, Dunn, Edwards, Ferguson of U., Finch, Goodbar, Heustis, Huntington, Levenworth, Lewis, Livingston, Lowe, M'Junkin, M'Nary, Mitchell, Moore, Parks, Payne, Proffit, Pruett, Rariden, Ribble, Roop, Ruddick, Sands, Shortridge, Smith, Stanford, Steele, Vawter, Wallace and Woodruff—42.

So said motion was decided in the negative.

Mr. Bryant moved to amend said bill by adding thereto, the following proviso, to wit:

*“Provided that the same shall be paid on or before the 1st day of October, in each year.”*

Mr. Henley moved to amend said amendment, by striking out ‘October,’ and inserting ‘May,’ in lieu thereof;

Which motion did not prevail.

Mr. Crume moved to amend said amendment, by adding the following: “and that no person, subject to military duty, shall be fined more than 33 1-3 cents per day.”

Mr. Howell moved to postpone the further consideration of said bill and proposed amendments indefinitely;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Cox, Cristler, Crume, Davis of Sh'y, English, Ferguson of C., Fowler, Hamilton, Hanna, Hargrove, Henley, Howell, Huntington, Lane, Livingston, Mastin, Osborn, Parks, Peyton, Reid, Schoonover, Skeen, Slaughter, Watt, Wilson, Wooden, and Davis, Speaker—27.

*And those who voted in the negative, are*

Messrs. Bell, Bonner, Boyd, Bradbury, Bradley, Bryant, Buell, Carter of M. & C., Carter of O., Clark, Claypool, Cravens, Crawford, Culley, Davenport, Dunn, Edwards, Ferguson of U., Finch, Goodbar, Heustis, Levenworth, Lewis, Lowe, M'Junkin, M'Nary, Mitchell, Payne, Proffit, Pruett, Rarided, Ribble, Roop, Ruddick, Sands, Shortridge, Smith, Stanford, Steele, Vawter, Wallace, and Woodruff—42.

So said motion was decided in the negative.

The question was then put on the motion of Mr. Crume, And decided in the negative.

The question then recurred on the amendment proposed by Mr. Bryant,

And passed in the affirmative.

Mr. Crume moved further to amend said bill so as to provide that 50 cents of the said one dollar, to be paid by delinquents, shall go for the use of the regiment;

Which motion did not prevail.

Said amendments were then ordered to be engrossed and read a third time to-morrow.

Mr. Carter of O. made the following report:

The committee of free conference, on the part of this House, to whom was referred the subject of the disagreement of the two Houses on the bill making certain appropriations of the three per cent. fund, reported that they have agreed with the committee on the part of the Senate, that of the five hundred dollars allotted to the county of Orange from said fund, 250 dollars thereof shall be applied in said county, on the main State road leading from Albany to Vincennes, and that John G. Clendenon, be appointed to superintend the appropriation of the same; and that two hundred and fifty dollars thereof, be applied, so far as the same will go, towards building of a bridge across Lost river, in said county, on the State road from the town of Leavenworth to Indianapolis, and that Edward Willis be appointed commissioner thereof, to receive the money and to superintend the building of the said bridge;

Which was read and concurred in.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Vawter made the following report:

The committee of free conference, appointed on the part of the two Houses, to take into consideration the disagreeing votes in relation to the 13th amendment of the House, to the bill appropriating a part of the 3 per cent. fund, have agreed to strike out the 28th section of the bill, and insert the following:

And be it further enacted, That the following sums be appropriated, on so much of the State road leading from Indianapolis to Crawfordsville, as lies between Knightstown, in Marion county, and the crossing of Sugar creek, near Andrew Brockman's, in Montgomery county, viz: out of the 3 per cent. fund, for Hendricks, one hundred dollars, and out of the counties of Marion, Montgomery and Boon, fifty dollars each, to be expended under the direction of Archibald Alexander, who is authorized to draw and expend the same, on qualifying himself, according to the provisions of this act.

Which was read and concurred in by the House.

*Ordered*, That the clerk inform the Senate thereof.

On motion of Mr. Ferguson of C.,  
Mr. Payne was added to the committee of enrolled bills.

Mr. Hamilton, on leave, presented a petition of John Carr, road commissioner, on the State road from Bloomington, to intersect the Mauk's ferry State road near Wm. Logan's in Washington county, praying an act to legalize his proceedings as such commissioner;

Which was read and laid on the table.

On motion of Mr. Sands,

Mr. Bradley had leave of absence from the services of this House during the remainder of the present session from and after to-morrow morning.

Mr. Hanna made the following report:

The select committee to which was referred that part of the Governor's message which relates to the criminal code, report: That they have had that subject under their consideration, and can find no provision in the constitution which will authorize the legislative branch of the government to set bounds by which the executive shall be restricted in the exercise of his clemency. The power to remit fines and forfeitures and grant reprieves and pardons was conferred on the executive branch of the government with a view, (as is believed by your committee,) to its prudent exercise; and they cannot believe that the force of precedent should compel a compliance with its forms without just cause arising from an extraordinary operation of law. Your committee in compliance with the advice of the executive, have reviewed the penal sanctions of the criminal code, and have not been able to discover that they are either cruel or unusual. Your committee therefore request to be discharged from the further consideration of the subject.

Which was read and the committee were discharged.

On motion of Mr. Dunn,

*Ordered*, That the report do lie on the table.

Mr. Wallace from the select committee to which was referred the petition of Rufus Brown and others, on that subject, reported a bill for the relief of the sureties of the late Julius Johnson;

Which was three times read (the rules of the House having first been dispensed with).

The question was then put, shall said bill pass?

The ayes and noes being requested thereon, by two members,



*Those who voted in the affirmative are,*

Messrs. Bonner, Bryant, Cox, Crume, Davis of Sh'y, English, Henley, Heustis, Lane, M'Junkin, M'Nary, Moore, Wallace and Davis, Speaker—14.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradbury, Buell, Carter of M. & C., Clark, Claypool, Cravens, Crawford, Culley, Daniel, Davenport, Edwards, Ferguson of C., Ferguson of U., Finch, Fowler, Hamilton, Hanna, Hargrove, Howell, Huntington, Levenworth, Lewis, Mastin, Osborn, Parks, Payne, Proffit, Pruett, Rariden, Reid, Ribble, Roop, Ruddick, Sands, Schoonover, Shortridge, Skeen, Slaughter, Smith, Stanford, Steele, Vawter, Watt, Wilson and Woodruff—47.

So said bill was rejected.

Mr. Crume made the following report:

The committee to whom was referred the petition of Ann M. Smith, of Fayette county, praying to be divorced from her husband James Smith, report, that the petitioner was married to James Smith, in Campbell county, Kentucky, in the year 1823; that in the year 1829, her husband deserted her, and hath ever since abandoned her, without being heard from, whence the committee infer that it is his intention finally to abandon her; that the committee are not aware of any cause for such abandonment, nor do they believe any such cause exists; that the petitioner is in very limited circumstances, so that the expense of procuring a divorce in the ordinary mode would be oppressive to her.

The committee are aware that this reason for applying the legislative remedy, in a case in which there is a concurrent judicial one may be excepted to, as leading to extensive and tedious legislation, and the expense to the public of printing laws, for private relief; but the committee are also aware that there is no necessity or reason in favor of printing such private acts, as the public are not interested in knowing them; and that, therefore, the expense of printing presents no obstacle to the wishes of the petitioner. They are also of opinion that the situation of a woman, deserted by him in whose hands she has entrusted her happiness, and who is destitute of the means of prosecuting for a divorce in the courts of law, is entitled to consideration. The committee cannot believe, that contrasted with the individual benefit resulting from granting the prayer of the petitioner, the few minutes necessary to be expended in passing a bill for her relief ought to be considered, with parsimonious gravity. The committee therefore, submit a bill in accordance with the peti-



then referred to them, entitled a bill for the relief of Ann M. Smith;

Which was read the first time and passed to a second reading.

Mr. Bryant, from the joint committee of enrolled bills, reported, that they did, on this day, present to the Governor, for his approval and signature, bills of the following titles, to wit:

An act to locate a State road from Salem via Middletown to Orleans in Orange county; and

An act to incorporate the Charlestown and Ohio turnpike company.

Mr. Crawford from the select committee to which was committed the engrossed bill from the Senate entitled an act supplemental to an act to establish a State road from the county seat of Grant to the county seat of Elkhart county, reported the same with one amendment;

Which was read and concurred in by the House.

The amendment was then ordered to be engrossed and the bill to be read a third time on to-morrow.

Mr. Crawford from the select committee to which was referred the petition of J. A. Liston and others on that subject, reported a bill to incorporate a company to build a bridge across St. Joseph river, at South Bend;

Which was twice read (the rules of the House having first been dispensed with) when,

On motion of Mr. Buell,

Said bill was amended so as to provide that it shall only be allowed to the company to keep a toll gate at one end of said bridge.

On motion of Mr. Stanford,

Said bill was further amended by providing, that in constructing said bridge it shall, in no wise obstruct the navigation of said stream.

Said bill was then ordered to be engrossed and read a third time to-morrow.

Mr. Buell, after having obtained leave, presented a bill to locate a State road from Frenchtown, in Warren county, to Lusk's mill in Parke county;

Which was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time to-morrow.

Mr. Bryant, after having obtained leave, presented a bill to permit the commissioners of Sullivan county to lay a tax on wooden clocks;

Which was twice read (the rules of the House having first been

dispensed with) and ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Steele,

The joint resolution of the General Assembly for the benefit of State debtors was taken up, and ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Crume,

(The previous orders of the day having been suspended) the committee of the whole to which was committed the bill to locate a State road therein named was discharged from the further consideration thereof.

Said bill was then ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Sands,

The several preceding orders of the day were suspended, and the committee of the whole House to which was committed the bill to amend an act entitled an act to regulate the mode of doing county business in the several counties in this state, approved January 19th, 1831, was discharged from the further consideration thereof.

On motion of Mr. Proffit,

Said bill was amended by extending its provisions to the county of Pike.

On motion of Mr. Davenport,

Its provisions were extended to the county of Boon.

Mr. Lane moved to postpone the further consideration thereof until the first Monday in December next—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Bradbury, Buell, Cravens, Crawford, Culley, Ferguson of U., Hanna, Henley, Lane, Lewis, Lowe, M'Junkin, Rariden, Reid, Roop, Shortridge, Skeen, Vawter, Watt, Wilson and Davis, Speaker—22.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bryant, Carter of M. & C., Clark, Claypool, Cox, Crume, Daniel, Davenport, Davis of Sh'y, Edwards, English, Ferguson of C., Finch, Fowler, Goodbar, Hamilton, Heustis, Howell, Huntington, Levenworth, Mastin, M'Nary,

Mitchell, Osborn, Parks, Payne, Peyton, Proffit, Pruett, Ribble, Ruddick, Sands, Schoonover, Slaughter, Smith, Stanford, Steele, Wallace, Wooden and Woodruff—42.

So said motion was decided in the negative.

Mr. Payne moved to recommit the same to a select committee with instructions so to amend it as to make its several parts harmonize.

Mr. Schoonover moved to amend said instructions so as to make the law general, and that the business in the several counties shall hereafter be done by justices of the peace.

Which motion did not prevail.

The question recurred on the motion of Mr. Payne  
And carried in the affirmative.

Ordered, That Messrs. Payne, Sands, and Proffit, be that committee.

On motion of Mr. Edwards,

The bill to authorize the expenditure of that part of the three per cent. fund heretofore appropriated to the county of Adams, heretofore laid on the table, was taken up;

Mr. Crume moved to postpone the further consideration thereof indefinitely;

Which motion was decided in the negative.

Said bill was then ordered to be engrossed and read a third time to-morrow.

Mr. Payne from the select committee, to which was committed the bill to amend an act entitled an act to regulate the mode of doing county business in the several counties in the state, approved January 19, 1831, reported the same with sundry amendments;

Which were read and concurred in by the House.

On motion of Mr. Sands,

The previous orders were suspended, said bill read the third time; the question being put,

Shall said bill pass?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bryant, Carter of M. & C., Crume, Daniel, Davenport, Davis of Sh'y, English, Finch, Fowler, Goodbar, Har-

grove, Heustis, Howell, Huntington, Levenworth, Livingston, Mastin, M'Nary, Moore, Osborn, Parks, Payne, Peyton, Proffit, Pruett, Ribble, Ruddick, Sands, Slaughter, Smith, Steele, Wooden Woodruff and Davis, Speaker—35.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bradbury, Buell, Clark, Claypool, Cox, Cravens, Crawford, Culley, Dunn, Edwards, Ferguson of U., Hamilton, Hanna, Lane, Lewis, Lowe, Reid, Schoonover, Shortridge, Stanford, Vawter, Wallace, Watt, and Wilson,—26.

So said bill passed.

*Ordered,* That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

Mr. Bryant, from the joint committee of enrolled bills reported, that they had compared the enrolled with the engrossed bills, entitled:

An act to incorporate the Monroe county Seminary;

An act to authorize the board of commissioners of Knox county, to provide for the support of the paupers of said county;

An act to locate and establish a State road from South Bend in St. Joseph county, via mouth of Elkhart and the seat of justice of Lagrange county to the east line of this State, in the direction of Vistula on Maumee Bay, in the State of Ohio;

And find the same truly enrolled.

Whereupon,

The speaker signed said bills.

*Ordered,* That said bills be entitled acts, and that the clerk carry them to the Senate, and ask their concurrence.

Mr. Finch, after having obtained leave, presented a bill concerning a school section in Tippecanoe county;

Which was three times read (the rules of the House having first been dispensed with), and passed.

*Ordered,* That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence.

Mr. Vawter made the following reports, to wit:

The committee of ways and means to which was referred a communication, made by the secretary of State to this House, having reference to the purchase of books, for the use of the State Library; report: That they have examined the books (purchased) now in the library, and the committee are of opinion, that



the selection and purchase is a valuable addition to the State Library. The committee ask to be discharged from the further consideration of said communication.

Said committee was thereupon discharged accordingly.

The committee of ways and means to which was referred a communication, made to this House by the Secretary of State, relative to the following contracts, viz: Public printing for this General Assembly; the furnishing of fuel for the two Houses of the present General Assembly; a contract for supplying the present General Assembly with all necessary stationary; the distribution of the laws and journals of the General Assembly: have had the subject matter in said communication under consideration, and now report: That the committee have not discovered any thing in said communication requiring legislative enactment, except the necessary appropriations, for the payment of such contracts as are unpaid, which appropriations your committee have anticipated in the general and specific appropriation bill already reported to this House. The committee now ask to be discharged from the further consideration of the several matters and things contained in said communication.

Said committee was discharged accordingly.

On motion of Mr. Crume,

The vote taken heretofore on the rejection of the joint resolution from the Senate, authorising the purchase of a complete set of Niles' Register, and a subscription for the future numbers of the Register,

Was reconsidered.

The question was then again put,

Shall said joint resolution be rejected?

And decided in the negative.

Said joint resolution was read the second time.

On motion of Mr. Dunn,

The same was amended by striking out so much thereof, as relates to the subscribing for future numbers of the Register.

Mr. Hanna moved to amend the same, by providing that Wm. Wick and James Morrison, late secretaries of State, be allowed the use of the library, in consideration of former services rendered.

Which motion was decided in the negative.

The amendment was then ordered to be engrossed, and said joint resolution to be read a third time to-morrow.

Mr. Proffit, after having obtained leave, presented a joint resolution of the General Assembly, concerning the State Library.

Mr. Bryant moved to reject the same.

The ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bryant, Buell, Cravens, Crumè, Culley, Daniel, Dunn, Edwards, Finch, Fowler, Hamilton, Huntington, Lane, Livingston, M'Junkin, M'Nary, Moore, Parks, Peyton, Sands, Shortridge, Skeen, Slaughter, Steele, Wallace and Davis, Speaker—27.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bradbury, Carter of M. & C., Clark, Claypool, Cox, Crawford, Davenport, Davis of Sh'y, English, Ferguson of U., Goodbar, Hanna, Hargrove, Howell, Levenworth, Lewis, Lowe, Osborn, Payne, Proffit, Pruett, Reid, Ribble, Roop, Ruddick, Schoonover, Smith, Stantord, Vawter, Watt, Wilson, Wooden and Woodruff—36.

So said motion was decided in the negative.

*Ordered,* That said joint resolution do pass to a second reading.

The House adjourned until 2 o'clock, P. M.

*2 o'clock P. M.*

The House met pursuant to adjournment.

On motion of Mr. Lane,

Mr. Mitchel had leave of absence from the service of the House, from and after Thursday next, during the remainder of this session.

The House resumed the consideration of the bill to provide for taking a list of taxable property in this state, preparatory to the introduction of an advalorem system of taxation, depending at the adjournment on Saturday evening last.

On motion of Mr. Hanna,

*Ordered,* That the same do lie on the table.

The engrossed joint resolution of the General Assembly, rela-

five to procuring tract books and maps for the purchase of 1823;  
Was read a third time, and

On motion of Mr. Vawter,

The same was committed to a select committee with instructions to strike out what relates to canal and Michigan road lands and reserves.

Ordered, That Messrs. Vawter, Wilson and Proffit, be that committee.

On motion of Mr. Hanna,

The several orders of the day which precede the bill to authorize the agent of State for the town of Indianapolis, to convey certain lots to the trustees of said town; were for the present, postponed, and the committee of the whole discharged from the further consideration thereof.

Mr. Levenworth moved to postpone the further consideration thereof indefinitely.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Bradbury, Bryant, Buell, Carter of M. & C., Clark, Cravens, Cristler, Culley, Daniel, Edwards, English, Ferguson of U., Fowler, Goodbar, Hamilton, Hargrove Henley, Heustis, Howell, Lane, Levenworth, Lewis, Lowe, M'Junkin, Osborn, Parks, Payne, Pruett, Rariden, Reed, Ribble, Ruddick, Schoonover, Skeen, Smith, Stanford, Steele, Vawter, Wallace, Watt Wilson, Wooden, and Davis, Speaker—45.

*And those who voted in the negative are,*

Messrs. Claypool, Cox, Crawford, Crume, Davis of Sh'y, Finch, Hanna, Huntington, M'Nary, Mitchell, Peyton, Roop, Shortridge, and Woodruff—14.

So said bill was indefinitely postponed.

Engrossed bills of the following titles, to wit:

A bill to amend an act entitled an act for opening and repairing public roads and highways approved Feb. 10, 1831;

A bill to provide for the disposition of the surplus portion of the three per cent. fund remaining unexpended in the hands of any commissioner;

A bill to amend the act relative to crime and punishment, approved Feb. 10, 1831; and

A bill to amend an act entitled, "an act to organize probate courts and defining the powers and duties of executors, administrators and guardians," approved Feb. 10, 1831,

Were severally read the third time and passed.

*Ordered*, That they be entitled acts, and that the clerk carry them to the Senate and ask their concurrence.

The engrossed bill from the Senate to amend the act entitled "an act regulating the jurisdiction and duties of justices of the peace," approved Feb. 10, 1831,

Was read the third time, and,

On motion of Mr. Bryant,

Was recommitted to a select committee with instructions to amend the 3d section of the act relative to the jurisdiction and duties of justices of the peace, approved Feb. 3, 1832, so more clearly to define the jurisdiction intended to be given in that section.

*Ordered*, That Messrs. Bryant, Livingston and M'Junkin be that committee.

The engrossed bill from the Senate to repeal a part of the act regulating the fees and salaries of the several officers and persons therein named, approved Feb. 10, 1831,

Was read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

The House resolved itself into a committee of the whole on the bill to amend an act entitled an act prescribing the mode of changing the venue, approved Jan. 28, 1824; and after some time spent therein, the Speaker resumed the chair, and Mr. Claypool reported the same with one amendment, to-wit: by striking it out from the enacting clause;

And on the question, will the House concur in said amendment?

The ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bryant, Carter of M. & C., Claypool, Cox, Cravens, Cristler, Crume, Culley, Daniel, Davenport, Davis of Sh'y, Edwards, English, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hargrove, Howell, Lane, Levenworth, Lewis, Lowe, M'Junkin, Mitchell, Moore, Osborn, Parks, Payne, Rariden, Reid, Ribble, Roop, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Steele, Vawter, Watt and Woodruff—48.



*And those who voted in the negative are,*

Messrs. Buell, Clark, Crawford, Dunn, Hanna, Henley, Heustis, Huntington, M'Nary, Pruett, Ruddick, Sands, Smith, Wallace, Wilson, and Davis, Speaker—16.

So the House agreed to said amendment.

On motion of Mr. Crume,

The further consideration of said bill was indefinitely postponed.

A motion was made by Mr. Huntington that the bill for the relief of George W. Dewees, heretofore laid on the table, be taken up, and being put,

It was decided in the negative.

On motion of Mr. Howell,

The committee of the whole House to which was committed the bill for the relief of execution defendants, were discharged from the further consideration thereof:

And on the question, shall said bill be engrossed for a third reading?

It was determined in the negative.

So the bill was rejected.

On motion of Mr. Steele,

The committee of the whole House to which was committed the bill to locate a state road from Centreville in Wayne county, to a certain point in Henry county, were discharged from the further consideration thereof.

*Ordered,* That said bill be engrossed and read a third time to-morrow.

On motion of Mr. Rariden,

The committee of the whole House to which was committed the joint resolution to authorize the sale of the Governor's circle in the town of Indianapolis, were discharged from the further consideration thereof; and,

On motion of Mr. Rariden,

The joint resolution was indefinitely postponed.

On motion of Mr. Howell,

The committee of the whole House to which was committed the engrossed bill from the Senate to amend the act to provide for the election of county and township officers, were discharged from the further consideration thereof.

*Ordered,* That said bill be read a third time to-morrow.

Mr. Hanna moved to discharge the committee of the whole to

which was committed the bill to amend an act entitled an act to encourage the killing of wolves, approved Feb. 10, 1831, from the further consideration thereof;

Which motion did not prevail.

The House then resolved itself into a committee of the whole on said bill, and after some time spent therein the Speaker resumed the chair and Mr. Cox reported the same with one amendment;

In which the House did not concur.

Mr. Lewis moved to strike out the bill from its enacting clause and to insert in lieu thereof the following:

"That the first, second, third and fourth sections of the act entitled an act to encourage the killing of wolves, approved February 10th, 1831, be and the same is hereby repealed.

This act to be in force from and after its publication."

Which motion was decided in the negative.

Mr. Levenworth moved to postpone the further consideration of the bill indefinitely.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bonner, Boyd, Bradbury, Bryant, Clark, Cravens, Cristler, Crume, Culley, Daniel, Dunn, English, Ferguson of C., Ferguson of U., Goodbar, Hargrove, Henley, Heustis, Lane, Levenworth, Lewis, Mitchell, Moore, Payne, Pruett, Rariden, Reid, Roop, Schoonover, Skeen, Smith, Steele, Vawter, Watt, and Davis, Speaker—35.

*And those who voted in the negative, are*

Messrs. Bell, Buell, Carter of M. & C., Claypool, Cox, Crawford, Davenport, Davis of Sh'y, Edwards, Finch, Fowler, Hamilton, Hanna, Howell, Huntington, Lane, Mastin, M'Junkin, M'Nary, Osborn, Parks, Proffit, Ribble, Ruddick, Sands, Shortridge, Slaughter, Stanford, Wallace, Wilson, Wooden, and Woodruff—22.

So the further consideration of said bill was indefinitely postponed.

Mr. Palmer to whom leave of absence was heretofore given, now appeared and resumed his seat.

Mr. Crume moved that the House do now resolve itself into a

committee of the whole on the engrossed bill from the Senate for the relief of Lismund Basye;

Which motion was decided in the negative.

On motion of Mr. Shortridge,

The said committee were discharged from the further consideration thereof.

Mr. Wilson moved to amend the bill by making the allowance to said Lismund \$50 instead of \$98.

Pending that question, the bill was,

On motion of Mr. Finch,

Indefinitely postponed.

The House resolved itself into a committee of the whole on the bill for the relief of Asa Church and for other purposes; and, after some time spent therein, the Speaker resumed the chair and Mr. Cravens reported the same with one amendment, which was read and concurred in by the House; when,

On motion of Mr. Lane,

It was ordered that said bill be indefinitely postponed.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate concur in the several reports of the committee of free conference appointed on the part of the two Houses to take into consideration their disagreeing votes on the subject of the 13th and 17th amendments and the 39th section, part of the 19th amendment of the House to the engrossed bill of the Senate to appropriate part of the 3 per cent. fund.

They also concur in the amendments proposed by the House, to the following engrossed bills of the Senate entitled acts as follows, to-wit:

An act to repeal all acts and parts of acts allowing the county commissioners of Dearborn county, to lay an additional tax on said county, and

An act supplementary to an act entitled an act regulating divorces, approved January 17, 1831.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed an engrossed bill of the House of Representatives entitled an act changing the time for holding the circuit courts in the first, second, fourth, fifth and sixth judicial cir-

culits with amendments, in which the concurrence of the House of Representatives is requested.

The 1st, 2d and 4th amendments of the Senate to said bill were read and disagreed to by the House.

The House concurred in the 3d and 6th of said amendments, and in the 5th with an amendment.

*Ordered*, That the clerk inform the Senate thereof and ask their concurrence in the amendment of the House to the said 5th amendment of the Senate.

On motion of Mr. Bryant,

The committee of the whole House to which was committed the bill to amend the act entitled an act to organize probate courts and defining the duties of executors, administrators and guardians, approved February 10th, 1831, were discharged from the further consideration thereof:

And on the question, shall said bill be engrossed and read a third time to-morrow?

It was decided in the negative.

So the bill was rejected.

On motion of Mr. Reid,

The committee of the whole to which was committed, the bill to amend an act to regulate the mode of doing county business in the several counties in this state, approved Jan. 19, 1831, were discharged from the further consideration thereof.

Mr. Henley moved that the bill be indefinitely postponed:

Mr. Steele moved to lay it on the table;

Which motion did not prevail.

The question recurred on the postponement of the bill,

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bryant, Buell, Carter of M. & C., Clark, Claypool, Cox, Cravens, Crawford, Cristler, Crume, Culley, Davis of Sh'y, Edwards, English, Ferguson of C., Ferguson of U., Fowler, Goodbar, Hamilton, Henley, Heustis, Howell, Lane, Levenworth, Lewis, Lowe, Osborn, Palmer, Pruett, Reid, Ribble, Roop, Ruddick, Schoonover, Shortridge, Skeen, Stanford, Steele, Vawter, Watt, Wooden and Davis Speaker—46.

*And those who voted in the negative are,*



Messrs. Daniel, Davenport, Hargrove, Huntington, Livingston, M'Junkin, M'Nary, Mitchell, Moore, Parks, Payne, Peyton, Rariden, Sands, Slaughter, Smith, Wallace, Wilson and Woodruff—19.

So said bill was indefinitely postponed,

On motion of Mr. Levenworth,

The committee of the whole House to which was committed the bill to amend an act respecting the agent of the three per cent. fund and for other purposes, were discharged from the further consideration thereof.

Mr. Henley moved to recommit the bill to a select committee with instructions to report a bill continuing the present agency and annexing a compensation of 1 1-2 per cent. on the amount disbursed.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bonner, Boyd, Claypool, Cox, Cravens, Daniel, Davis of Sh'y, Edwards, English, Finch, Goodbar, Henley, Heustis, Huntington, Lane, Mastin, M'Junkin, Moore, Osborn, Sands, Schonover, Skeen, Slaughter, Steele, Vawter, Wallace, Wilson, Wooden, and Davis, Speaker—30.

*And those who voted in the negative, are*

Messrs. Bradbury, Bryant, Clark, Crawford, Cristler, Crume, Culley, Davenport, Ferguson of C., Ferguson of U., Fowler, Hamilton, Hanna, Hargrove, Howell, Levenworth, Lewis, Lowe, M'Nary, Mitchell, Palmer, Parks, Payne, Peyton, Proffit, Pruett, Rariden, Reid, Ribble, Ruddick, Shortridge, Smith, Stanford, Watt, and Woodruff—35.

So said motion was decided in the negative.

The said bill was then ordered to be engrossed and read a third time to-morrow.

The House resolved itself into a committee of the whole on the bills making general and specific appropriations for the year 1833; and after some time spent therein the Speaker resumed the chair, and Mr. Crawford reported the first named bill without amendment; and as to the other bill reported progress and asked leave to sit again;

Which leave was granted.

*Ordered*, That the first above named bill be engrossed and read a third time to-morrow.

And then the House adjourned until to-morrow morning at 9 o'clock.

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TUESDAY, JANUARY 29, 1833.

The House met pursuant to adjournment.

On motion of Mr. Wallace,

Mr. Ruddick had leave of absence from the services of the House during the remainder of the present session of the general Assembly.

The following message was received on yesterday from the Senate by Mr. Farnham their Sec-retary:

MR. SPEAKER,

The Senate have passed a bill entitled an act incorporating Congressional Townships, and providing for public schools therein, in which the concurrence of the House is requested.

The bill named in said message

Was twice read, (the rules of the House having first been dispensed with) when,

Mr. Crume moved to amend the 88th section, by inserting after the words "rate of" these words, "not less than," so as to provide that the money shall not be loaned at an interest less than 6 per cent. per annum.

Mr. Palmer moved to lay said bill and proposed amendment on the table;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Boyd, Bradbury, Claypool, Cravens, Davis of Sh'y, English, Ferguson of U., Hamilton, Hanna, Henley, Heustis, Mitchell, Palmer. Rariden, Reid, Roop, Sands, Smith, and Watt,  
—19

*And those who voted in the negative, are*

Messrs. Bell, Bonner, Bryant, Buell, Carter of M. & C., Clark, Cox, Crawford, Cristler, Crume, Culley, Daniel, Davenport, Dunn, Edwards, Ferguson of C., Finch, Fowler, Goodbar, Hargrove, Howell, Huntington, Lane, Levenworth, Lewis, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Moore, Osborn, Parks, Payne, Peyton, Proffit, Pruett, Ribble, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Steele, Vawter, Wallace, Wilson, Wooden and Woodruff—49.

So said motion was decided in the negative.

Mr. Reid moved to commit said bill and proposed amendment, to a committee of the whole House for to-morrow ;

Which motion was decided in the negative.

The question recurred on the motion of Mr. Crume,  
And passed in the affirmative.

Mr. Lariden moved to amend the 151st section by adding thereto the following proviso, to-wit:

*Provided, however, That the inhabitants of a school district may, if they think proper, appropriate the funds on hand and accruing of such district for school purposes, to the erection and completion of a district school house or for any repairs thereto.*

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Bradbury, Cravens, Crawford, Davenport, Dunn, English, Ferguson of U., Hamilton, Hanna, Henley, Heustis, Lewis, Lowe, Mitchell, Osborn, Parks, Rariden, Reid, Roop, Sands, Shortridge, Smith, Stanford, Steele, Watt, Wilson, and Woodruff—29.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Bryant, Buell, Carter of M. & C., Clark, Claypool, Cox, Cristler, Crume, Culley, Daniel, Davis of Sh'y., Edwards, Finch, Goodbar, Hargrove, Howell, Huntington, Lane, Levenworth, Livingston, Mastin, M'Junkin, M'Nary, Moore, Palmer, Payne, Peyton, Proffit, Pruett, Ribble, Skeen, Slaughter, Vawter, and Wooden—36.

So said motion was decided in the negative.

Mr. Cristler moved to amend the 82d section by adding after the word township in the 2d line the words "or school district."

Which motion was decided in the negative.

On motion of Mr. Hanna,

The 181th section of said bill was amended by striking out so much thereof as requires school houses to be 8 feet between the floors and the lower floor to be one foot from the ground.

Mr. Henley moved to commit said bill to a committee of the whole House and make it the order of the day for this day at 2 o'clock, P. M.

Which motion was decided in the negative.

On motion of Mr. Mitchell,

The 61st section of said bill was amended by striking out from the same the words "ipso facto."

On motion of Mr. Rariden,

Said bill was further amended by adding to the 123d section the following proviso, to-wit:

*Provided*, That nothing in this act contained shall be so construed as to authorize the payment of any more of the school monies of a township to any one district than said district may be entitled to from the number of infants within said district, although no other district of such township may have been organized or may have erected a school house.

Mr. Rariden moved further to amend said bill by adding to the 126th section the following:

"And in all cases where a school section may have been under the control or superintendence of a commissioner, trustee or trustees, and they may have received rents, issues, or any profits whatsoever, growing out of the same, or may have used, accepted or derived profits out of the same themselves, in all such cases it shall be the duty of the township trustees to make settlement with the commissioner, trustee, or trustees, and if they are found in arrear, or fail to give a satisfactory account of the profits and use of such school section, the said township trustees shall immediately commence suit against such person or persons, in any court having jurisdiction of the subject matters, and shall on the trial of such case, be authorized to require the defendant or defendants, or any of them, to answer on oath, touching the use and profits of such school section; and no other proof shall be required of the legality of the incorporation of such township, than the certificate of the school commissioner of such county, that the said township had been incorporated, and that the persons named as trustees, are the trustees thereof."

Pending the question on said proposed amendment,

Mr. Lane called for the previous question, which was seconded by two members, and before the question was put thereon,

The House adjourned until 2 o'clock P. M.



2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Payne, from the joint committee on enrolled bills report that they had compared the enrolled with the engrossed bills entitled as follow, to-wit:

1st. An act to amend the act entitled "an act-directing the mode of suing out and prosecuting writs of *habeas corpus*, approved January 12, 1828;

2d. An act supplementary to an act entitled "an act regulating divorces, approved January 17, 1831;

3d. An act to provide for the location of a State road from Newport in Vermillion county, via Springfield Eugene and Perrysville to the northern boundary of said county;

4th. An act to establish a State road from Bloomington, in Monroe county, to the Great falls of Eel river;

5th. A memorial and joint resolution of the General Assembly, relative to fractional congressional townships;

6th. An act to repeal all special acts and parts of acts allowing the county commissioners of Dearborn county, to lay an additional tax on said county;

7th. An act changing the name of John Meek and others;

8th. An act to define and establish the boundaries of the counties of Wabash and Miami;

9th. An act to repeal an act entitled an act to vacate the town of Owenesville, approved Jan. 2, 1828;

10. An act supplemental to an act entitled an act to provide for selling the Michigan road lands, to open that part of the Michigan road between Logansport and Lake Michigan, and for other purposes, approved, Feb. 2, 1832;

11. An act to locate a State road from Greencastle, by the way of Putnamville, to Thomas Evan's farm,

And find the same truly enrolled;

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Bryant, from the joint committee of enrolled bills, reported, that they did, on this day, present to the Governor, for his approval and signature, bills of the following titles, to wit:

An act to locate a State road from the South Bend in St.

Joseph county, via mouth of Elkhart, and Seat of justice of La-grange county, to the east line of this State, in the direction of Vistula, on Maumee Bay, in the State of Ohio;

An act to authorize the board of commissioners of Knox county to provide for the support of the paupers of said county;

An act to incorporate the Monroe county female seminary.

The House resumed the consideration of the engrossed bill from the Senate to incorporate congressional townships and providing for public schools therein.

The previous question pending at the last adjournment was then put, to-wit:

Shall the main question be now put?

The ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Bryant, Buell, Clark, Cox, Culley, Daniel, Dunn, Edwards, English, Finch, Fowler, Goodbar, Hargrove, Heustis, Howell, Lane, Levenworth, Lewis, Livingston, Lowe, M'Junkin, M'Nary, Osborn, Parks, Payne, Peyton Pruett, Ribble, Sands, Schoonover, Shortridge, Skeen, Stanford, Steele, Vawter, Wallace, Wilson, Wooden, Woodruff and Davis, Speaker—43.

*And those who voted in the negative are,*

Messrs. Bradbury, Claypool, Cravens, Crawford, Cristler, Davenport, Davis of Sh'y, Ferguson of U., Hamilton, Hanna, Mitchell, Palmer, Rariden, Reid, Roop, Smith, and Watt—16.

So said previous question passed in the affirmative.

The said main question was then put, to-wit:

Shall the amendments be engrossed and the bill read a third time,

And passed in the affirmative.

On motion of Mr. Steele,

Said amendments were considered as engrossed (the rules of the House dispensed with) and the bill was read the third time.

And on the question, shall said bill pass?

The ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Bryant, Carter of M. & C., Clark, Cox, Culley, Daniel, Davis of Sh'y, Dunn, Edwards, Ferguson of C., Finch, Fowler, Goodbar, Hanna, Hargrove, Heustis, Howell, Lane, Levenworth, Lewis, Livingston, Lowe, Martin, M'Junkin, M'Nary, Osborn, Parks, Payne, Peyton, Ribble, Sands, Shortridge, Skeen, Smith, Stanford, Steele, Vawter, Wallace, Wilson, Wooden, Woodruff and Davis, Speaker—44.

*And those who voted in the negative are,*

Messrs. Boyd, Buell, Claypool, Cravens, Crawford, Cristler, Crume, Davenport, English, Ferguson of U., Hamilton, Moore, Palmer, Pruett, Rariden, Reid, Roop, Schoonover, and Watt—19.

So said bill passed.

*Ordered*, That the clerk inform the Senate thereof and ask their concurrence in the amendments made by the House.

The following message was received from the Senate by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate recede from their disagreement to the amendment proposed by the House, to the 6th amendment proposed by them; and from their 5th amendment to the engrossed bill of the House to amend laws now in force relative to the Wabash and Erie canal.

They have passed an engrossed bill of the House entitled an act to establish a State road from the town of Michigan, to the town of Jefferson, by the way of Frankfort, in the county of Clinton, in Indiana, without amendment.

A message from the Senate by Mr. Morris their Assistant Secretary:

MR. SPEAKER,

The Senate concur in the amendment of the House to the 5th amendment of the Senate, to the engrossed bill of the House of Representatives, changing the time of holding the circuit courts in the 1st, 2d, 4th, and 6th judicial circuits, but insist on their 1st, 2d and 4th amendments to said bill.

The Senate have passed an engrossed bill from the House of Representatives, entitled "an act to relocate a part of the Mar-



tinsville, Danville and Frankfort State road, and for other purposes with amendments;

In which the concurrence of the House of Representatives is requested.

Mr. Bryant moved that the House insist on their disagreement to the 1st and 2d amendments of the Senate to the bill first above named.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Bryant, Buell, Clark, Cravens, Crume, Culley, Daniel, Edwards, Ferguson of C., Goodbar, Hargrove, Levenworth, Livingston, Lowe, Mastin, M'Junkin, M'Nary, Moore, Payne, Pruett, Reid, Ribble, Roop, Schoonover, Shortridge, Skeen, Steele, Vawter, Wallace, and Davis, Speaker—34.

*And those who voted in the negative are,*

Messrs. Boyd, Claypool, Cox, Crawford, Cristler, Davis of Sh'y, English, Ferguson of U., Finch, Fowler, Hamilton, Hanna, Lewis, Osborn, Palmer, Parks, Rariden, Sands, Stanford, Watt, Wilson, Wooden and Woodruff—23.

So the House insisted on their said disagreement.

On motion of Mr. Bryant,

*Ordered,* That a committee of free conference be appointed on the part of the House to take into consideration with a similar committee of the Senate, the disagreeing votes of the two Houses on said two amendments.

Whereupon,

Messrs. Bryant and Pruett were appointed that committee.

The House insisted on their disagreement to the 4th amendment of the Senate to said bill.

On motion of Mr. Bell,

*Ordered,* That a committee of free conference be appointed on the part of the House, to take into consideration, with a similar committee of the Senate, the disagreement of the two Houses, on the subject of said 4th amendment.

Whereupon,

Messrs. Bell and Davenport were appointed that committee on the part of the House.



The House disagreed to the 6th amendment of the Senate to the bill last named in said message, and concur in the residue of their amendments to said bill.

*Ordered,* That the clerk inform the Senate thereof.

Mr. Carter of M. & C., after having obtained leave, presented a bill accompanied by a petition on that subject, entitled a bill to establish a State road from Frankfort to a point on the Michigan road and for other purposes;

Which was three times read (the rules of the House having first been dispensed with), and passed.

*Ordered,* That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence.

Mr. Culley, from the committee on claims to which was referred a resolution on that subject reported a bill for the relief of Zachariah Ferguson, Stanhope Royster and John Perrin,

Which was twice read (the rules of the House having first been dispensed with) and

On motion of Mr. Crume,

Said bill was amended by inserting after the word "Fayette," "Shelby, Hancock, and Marion."

Said bill was then ordered to be engrossed and read a third time to-morrow.

Mr. Bryant, from the select committee to which was re-committed the engrossed bill from the Senate to amend the act entitled an act regulating the jurisdiction and duties of justices of the peace, approved Feb. 10th, 1831, reported the same with one amendment;

Which was concurred in by the House.

Said bill was then read a third time and passed.

*Ordered,* That the clerk inform the Senate thereof and ask their concurrence to the amendment made by the House to said bill.

Mr. Vawter, from the select committee to which was re-committed the engrossed joint resolution of the General Assembly, relative to procuring tract books and maps of the purchase of 1828, reported the same with one amendment.

And on the question, will the House concur therein?

It was decided in the negative.

The question was then put, shall said joint resolution pass?

And decided in the negative.

So said joint resolution was rejected.

A message from the Governor, by Mr. Maguire, his private Secretary:

MR. SPEAKER,

An act to incorporate the Charlestown and Ohio turnpike company, which originated in the House of Representatives, has received the approval and signature of the Governor.

The engrossed bill from the Senate for the encouragement of education, was read a third time.

And on the question, shall said bill pass?

The ayes and noes being requested by two members,

*Those who voted in the affirmative, are*

Messrs. Bradbury, Bryant, Buell, Carter of M. & C., Clark, Claypool, Cravens, Crawford, Culley, Dunn, Edwards, Finch, Goodbar, Heustis, Levenworth, Lowe, M'Junkin, M'Nary, Mitchell, Payne, Pruett, Rariden, Ribble, Roop, Sands, Shortridge, Slaughter, Steele, Vawter, and Woodruff—30.

*And those who voted in the negative, are*

Messrs. Boyd, Cox, Cristler, Crume, Davis of Sh'y, English, Ferguson of C., Fowler, Hamilton, Hanna, Hargrove, Henley, Howell, Huntington, Lane, Lewis, Mastin, Osborn, Palmer, Parks, Reid, Schoonover, Skeen, Stanford, Wallace, Watt, Wilson, Wooden, and Davis, Speaker—29.

So said bill passed.

*Ordered*, That the clerk inform the Senate thereof, and ask their concurrence in the amendment made by the House.

Engrossed bills from the Senate, as follows, to wit:

An act supplemental to an act, entitled an act to establish a state road from the county seat of Grant to the county seat of Elkhart county, and

An act to amend the act to provide for electing county and township officers, approved Jan. 30th, 1831,

Were severally read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof, and ask their concurrence in the amendment made by the House, to the first named bill.

Engrossed bills of the following titles;

A bill to incorporate a company to build a bridge across the St. Joseph river, at South Bend;

A bill to locate a state road from Frenchtown, in Warren county, to Lusk's mill, in Parke county;

A bill to authorize the expenditure of the 3 per cent. fund, heretofore appropriated for the county of Adams;

A bill to locate a certain state road therein named, and

A bill to locate a state road from Centreville, in Wayne county to a certain point in Henry county,

Were severally read the third time and passed.

*Ordered*, That they be entitled acts, and that the clerk carry them to the Senate and ask their concurrence.

The engrossed bill to permit the commissioners of Sullivan county, to levy a tax on wooden clocks,

Was read the third time and passed.

*Ordered*, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

The engrossed joint resolution of the General Assembly, for the benefit of state debtors,

Was read the third time and passed.

*Ordered*, That the clerk carry it to the Senate and ask their concurrence.

The engrossed joint resolution from the Senate, authorizing the purchase of a complete set of Niles' Register and a subscription for the future numbers of the Register,

Was read the third time.

Mr. Mitchell moved to postpone it indefinitely.

Mr. Bell moved to lay it on the table;

Which motion did not prevail.

The question recurred on Mr. Mitchell's motion to postpone,

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Bradbury, Cox, Cristler, Davenport, Davis of Sh'y, English, Hamilton, Henley, Howell, M'Nary, Mitchell, Osborn, Palmer, Parks, Pruett, Ribble, Sands, Schoonover, Skeen, Stanford, Wallace, Watt and Wooden—24.

*And those who voted in the negative are,*

Messrs. Bell, Bryant, Buell, Carter of M. & C., Clark, Clay-

pool, Cravens, Crawford, Crume, Culley, Dunn, Edwards, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Hanna, Hargrove, Heustis, Huntington, Lane, Leventworth, Lewis, Lowe, M'Junkin, Moore, Payne, Rariden, Reid, Roop, Shortridge, Steele, Vawter, Wilson, Woodruff and Davis, Speaker—37.

So said motion was decided in the negative.

The question was then put, shall said joint resolution pass?  
And was carried in the affirmative.

On motion of Mr. Vawter, the title of said joint resolution was amended, by striking out the latter clause thereof.

*Ordered*, That the Clerk inform the Senate of the passage of said joint resolution, and ask their concurrence in the amendments.

On motion of Mr. Rariden,

The engrossed bill from the Senate, to authorize the Governor to commence suits in the Dearborn circuit court, for the recovery of the possession and title for certain lands belonging to the state, heretofore laid on the table, was taken up, read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

The engrossed bill to amend an act respecting the agent of the 3 per cent. fund, and for other purposes,  
Was read the third time.

Mr. Dunn moved to re-commit it to a select committee, with instructions to strike it out from the enacting clause, and to insert the following:

That the agent of the 3 per cent. fund shall hereafter be allowed one and a half per cent. on all monies received by him, in full for his compensation as such agent.

Sec. 2. That the said agent shall be hereafter elected by joint viva voce vote of the General Assembly, every three years, and shall hold his office for that space of time.

On motion of Mr. Palmer,

The instructions were amended, so as to make the term two years instead of three.

On motion of Mr. Henley,

They were further amended, by expunging the commissions, and substituting a salary of \$150 per annum.

Mr. Hanna moved further to amend said instructions, so as to provide that the agent shall deposit the funds in the vaults of the state treasury, and draw on that officer, from time to time, as often as disbursements were necessary;



Which motion did not prevail.

The question recurred on the motion of Mr. Dunn, to recommit as amended,

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Carter of M. & C., Claypool, Cox, Crawens, Davis of Sh'y, Dunn, Ferguson of C., Finch, Goodbar, Henley, Heustis, Lane, M'Junkin, Moore, Proffit, Roop, Sands, Schoonover, Skeen, Steele, Wallace, Wilson, Wooden and Davis, Speaker—25.

*And those who voted in the negative are,*

Messrs. Bradbury, Bryant, Buell, Clark, Crawford, Cristler, Crume, Culley, Davenport, Edwards, Ferguson of U., Fowler, Hamilton, Hanna, Hargrove, Howell, Levenworth, Lewis, Lowe, M'Nary, Mitchell, Osborn, Palmer, Parks, Payne, Pruett, Rariden, Reed, Ribble, Shortridge, Smith, Stanford, Vawter, Watt and Woodruff—35.

So said motion was decided in the negative.

Mr. Lane moved to re commit the bill to a select committee, with instructions to report an amendment, retaining the present agency, and fixing the salary of the officer at \$175 per annum;

Which motion was decided in the negative.

The question was then put, shall the bill pass?

And was carried in the affirmative.

*Ordered,* That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence.

The engrossed bill making general appropriations for the year 1833,

Was read the third time and passed.

*Ordered,* That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence.

Mr. Buell moved that the orders of the day be suspended, and for leave to introduce a resolution respecting the election of canal commissioners;

Which leave was not granted.

The House again resolved itself into a committee of the whole on the bill making specific appropriations for the year 1833, and

after some time spent therein, the Speaker resumed the chair, and Mr. Cristler reported the same with two amendments;

Which were read and concurred in.

*Ordered*, That the bill be engrossed and read a third time to-morrow.

On motion of Mr. Bell,

The committee of the whole House, to which was committed the bill to amend the act subjecting real and personal estate to execution, were discharged from the further consideration thereof, and

On motion of Mr. Lane,

*Ordered*, That the bill do lie on the table.

A message from the Senate, by Mr. Farnham, their Secretary:

MR. SPEAKER,

The Senate have passed bills of the following titles:

An act supplemental to an act, for the regulation of the state prison, approved Feb. 10, 1831;

An act supplemental to an act to provide for the erection of a State House.

Also the following memorials, viz:

A memorial to the Congress of the United States, on the subject of unrelinquished lands, and

A memorial of the General Assembly of the state of Indiana, to the Congress of the United States, on the subject of unproductive sixteenth sections.

In which bills and memorials, the concurrence of the House is requested.

The first above named bill, was read twice and ordered to be read a third time to-morrow.

The second bill, named in the message, was read twice, (the rules of the House being suspended,) and

On motion of Mr. Dunn,

Was amended, by adding the following, as an additional section, viz:

“Sec. That so much of said fund shall be reserved from loan, as by an estimate to be furnished the Treasurer by or on behalf of the contractor, shall be requisite for the current year; and in case of the insufficiency of the amount of said fund on hand, at any time, to meet the demands upon it arising during the erection of the state house, owing to the delinquency in payment of any loan thereof, or otherwise, such inadequacy shall, for the time

being, be paid out of the state treasury: which the auditor is hereby authorized to audit, on the draft of the commissioners of the state house, and the treasurer to pay out of any monies therein, not otherwise appropriated, and which shall be charged to said donation fund."

Mr. Dunn moved further to amend the bill so that the rate of interest on loans named in the third section shall be 6 per cent. per annum,

And before a decision was had thereon,

The House adjourned until to-morrow morning at 9 o'clock.

### WEDNESDAY, JANUARY 30th, 1833.

The House met pursuant to adjournment.

On motion of Mr. Bell,

Mr. Hamilton had leave of absence from the service of the House from and after Saturday morning next.

Mr. Bell moved that Mr. Carter of O. have leave of absence from and after Saturday morning next.

On motion of Mr. Lane,

Said motion was amended by giving leave of absence of all the members from and after the same time.

Said proposition, as amended, was then agreed to.

Mr. Payne from the joint committee on enrolled bills reported, that said committee had compared the engrossed with the enrolled bills, entitled as follows:

An act to amend the laws now in force relative to the construction of the Wabash and Erie canal;

An act to establish a State road from the town of Michigan to the town of Jefferson, by the way of Frankford, in the county of Clinton, Indiana;

An act to repeal a part of the act regulating the fees and salaries of the several officers and persons therein named, approved February 7, 1831; and

An act to appropriate part of the three per cent. fund:

And find the same truly enrolled;

Whereupon,  
The Speaker signed said bills.

*Ordered*, That the clerk carry the same to the Senate for the signature of their President.

The Speaker laid before the House charges of malfeasance in office against William M'Cartney, associate judge of St. Joseph county, by James P. Antrim;

Which was read and laid on the table.

The House resumed the consideration of the message from the Senate, pending at the adjournment of last evening.

The question recurred on the motion of Mr. Dunn, to amend the bill secondly in said message named,  
And was carried in the affirmative.

Mr. Lewis moved to strike out the 6th section.

Mr. Dunn moved to amend said section, by adding thereto the following proviso:

"*Provided*, the corporate authorities of said town shall consent to said vacation."

On motion of Mr. M'Junkin,

Said amendment was amended by adding thereto the following: "agreeably to an act entitled an act to authorize the vacation of towns," approved February 10th, 1831.

Mr. Proffit moved to amend said amendment, by annexing thereto a provision that the Governor be authorized to appoint three disinterested persons to assess the damages any person or persons may sustain by such vacation;

Which motion was decided in the negative.

The question then recurred on the motion of Mr. Dunn, as amended,

And decided in the negative.

Mr. Dunn moved to amend said 6th section, by striking out so much thereof as authorizes the vacation of any streets—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Bryant, Clark, Cravens, Culley, Dunn, Hargrove, Henley, Heustis, Levenworth, M'Junkin, Palmer, Payne, Proffit, Pruett, Schoonover, Slaughter, Vawter and Wilson  
—19.



*And those who voted in the negative are,*

Messrs. Bell, Bonner, Bradbury, Buell, Carter of M. & C., Carter of O., Claypool, Cox, Crawford, Cristler, Crume, Davenport, Davis of Sh'y., Edwards, English, Ferguson of C., Ferguson of U., Fowler, Goodbar, Hamilton, Hanna, Howell, Huntington, Lane, Lewis, Lowe, Mastin, M'Nary, Osborn, Parks, Peyton, Reid, Ribble, Roop, Sands, Shortridge, Skeen, Smith, Stanford, Steele, Wallace, Watt, Wooden, Woodruff and Davis, Speaker—45.

So said motion was decided in the negative.

The question then recurred on the motion of Mr. Lewis to strike out the 6th section—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Carter of M. & C., Carter of O., Claypool, Cox, Crawford, Cristler, Crume, Culley, Davenport, Davis of Sh'y., Edwards, English, Ferguson of C., Ferguson of U., Fowler, Goodbar, Hamilton, Hanna, Hargrove, Henley, Heustis, Howell, Huntington, Lane, Levenworth, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Osborn, Parks, Payne, Peyton, Pruett, Reid, Ribble, Roop, Sands, Shortridge, Skeen, Smith, Stanford, Steele, Vawter, Wallace, Watt, Wilson, Wooden and Woodruff—55.

*And those who voted in the negative are,*

Messrs. Bryant, Buell, Clark, Cravens, Dunn, Livingston, Palmer, Profit, Slaughter and Davis, Speaker—10.

So said motion passed in the affirmative.

*Ordered,* That the amendment be engrossed and that the bill be read a third time to-morrow.

The third bill named in said message was three times read (the rules of the House having first been dispensed with) and passed.

*Ordered,* That the clerk inform the Senate thereof.

The memorial named in said message was twice read (the rules of the House having first been dispensed with,) when

Mr. Ferguson of C. moved to amend the same, by incorporating therein the following: "or any 20th section, located for the promotion of schools in Clark's Grant;"

Which motion did not prevail.

Said memorial was then read a third time (the rules of the House having first been dispensed with) and passed.

*Ordered,* That the clerk inform the Senate thereof.

A message from the Senate by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed the following engrossed bills, &c. which originated in the House of Representatives, entitled acts, &c. to wit:

An act supplemental to an act entitled an act to amend the act entitled an act to establish a State road from William Connelly's in Lawrence county to Greencastle in Putnam county;

An act to amend an act entitled an act to incorporate the town of Madison, approved February 4th, 1831;

An act for the location of a State road;

An act to amend the act entitled an act for opening and repairing public roads and highways, approved February 10, 1831;

An act to locate a State road from Andersontown, in Madison county, to Logansport in Cass county;

An act to alter a part of the Mooresville and Crawfordsville State road;

An act to allow Joseph Morgan, former collector of Pike county, further time to collect any taxes due him;

An engrossed preamble and joint resolution in relation to horses lost by the volunteer militia of Indiana,

With amendments to each.

Also, without amendment, engrossed bills of the House, entitled as follows, to wit:

An act authorizing a change in a part of the Munceytown and Logansport State road;

An act amendatory of an act to incorporate the town of Lawrenceburgh;

An act concerning a school section in Tippecanoe county;

An act for the relief of the heirs of Arthur Major:

An act to locate and establish a State road in Elkhart county, from the Fort Wayne State road near Stephen Stutsman's, by the way of the mouth of Elkhart river to the State line, in the direction of Edwardsburgh in Michigan territory;

An act to establish a State road from Fairfield in Franklin county to West Union in Fayette county;

An act to incorporate the county Seminary of Posey and for other purposes;

An act to vacate Dunkintown in Sullivan county;

An act to amend an act entitled an act for the location and opening a State road from Logansport, via Turkey creek and Elkhart prairie, to the northern line of the State in the direction of Pigeon prairie, in the Michigan Territory, approved December 27, 1830;

An act to relocate part of the State road leading from Martinsville in Morgan county to Danville in Hendricks county;

- An act to relocate part of the Terre-Haute State road;
- An act to locate the Alquina State road;
- An act to permit Jacob Studybaker and Thomas Thomas to keep their mills in operation on the Elkhart river;
- An act to locate a State road from James Marrs', in Bartholomew county, to Joab Woodruff's, in Johnson county;
- An act providing for the location of a State road from Delphi in Carroll county, to Crawfordsville in Montgomery county;
- An act to establish a State road from Salisbury in Harrison county to Providence in Clark county, by the way of Greenville in Floyd county;
- An act to relocate so much of the Knightstown State road as lies between Pendleton, in Madison county and Strawtown, in Hamilton county;
- An act to provide for the election of a justice of the peace in the town of St. Omer;
- An act to establish a State road from Mount Pleasant in Martin county, to Springville, in Lawrence county;
- An act to relocate a part of the Mauk's ferry State road;
- An act to authorize and require the Seminary Trustee of the county of Scott and the Treasurer of the Library of said county to loan certain monies within their control;
- An act to locate a State road from New Castle in Henry county to Munceytown in Delaware county;
- An act providing for constructing of a bridge over Mill creek in Owen county;
- An act to locate a State road from Lagrange in Tippecanoe county to the State road leading from Williamsport in Warren county to Chicago in the State of Illinois;
- An act to incorporate the Liberty School society;
- An act to establish a State road from Orleans in Orange county via Livonia in Washington county, to intersect the State road leading from New-Albany to Vincennes, in the direction of Greenville in Floyd county;
- An act to incorporate a board of trustees for the promotion of schools and education in Clark's Grant;
- An act to establish a State road from Madison in Jefferson county to Paoli in Orange county;
- An act to quiet certain titles in Mount Vernon and for the benefit of Thomas Givens, without amendment.

The Senate has also passed engrossed bills, &c. of the Senate, entitled as follows, to wit:

An act to establish a State road from Bloomington in Monroe county, by the way of Bale's ferry, to Leesville in Lawrence county;

An act to fix the salary of the Adjutant General;

An act declaratory of the powers of notaries public;

An act to amend the act entitled an act to incorporate the Richmond, Eaton and Miami rail road company;

An act to establish a levee from the town of Vincennes, through the lower prairie, near the Wabash river to the Grande Coulee;

An act to legalize the appraisement and sale of a part of the S. E. qr. of sec. 16, town 12, N. of range 6, E. in Shelby county;

An act for the relief of Mary Lane, widow of Daniel C. Lane, late treasurer of state;

An act for the relief of Thomas Pogue and others;

A joint resolution relative to the Indiana College;

A joint resolution to provide for binding and distributing the acts of Congress, deposited in the office of Secretary of State; and

A joint resolution relative to county libraries;

In which bills and joint resolutions of the Senate, and the amendments proposed to the bills of the House, the concurrence of the House of Representatives is requested.

The amendments proposed by the Senate to the 1st, 2d, 3d, 4th, 5th, 6th and 7th bills, and the engrossed joint resolution of the House named in said message, were severally read and agreed to by the House.

*Ordered,* That the clerk inform the Senate thereof.

The engrossed bill of the Senate, first named in said message, was three times read (the rules of the House being first dispensed with) and passed.

*Ordered,* That the clerk inform the Senate thereof.

The second bill of the Senate, named in said message, was read the first time.

Mr. Henley moved to reject the same;

Which motion was decided in the negative.

On motion of Mr. Steele,

Said bill was read the second time (the rules of the House being suspended for that purpose.)

Mr. Lane moved to postpone the further consideration thereof indefinitely—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bonner, Boyd, Bradbury, Bryant, Carter of O., Clark, Cravens, Cristler, Crume, Culley, Ferguson of C., Ferguson of U., Fowler, Goodbar, Hamilton, Hargrove, Henley, Howell, Lane, Levensworth, Lewis, Lowe, M'Junkin, M'Nary, Peyton, Profit,



Pruett, Ribble, Skeen, Stanford, Vawter, Wallace, Watt, and Woodruff—34.

*And those who voted in the negative, are*

Messrs. Bell, Buell, Claypool, Crawford, Davenport, Davis of Sh'y, Dunn, Edwards, Finch, Hanna, Heustis, Huntington, Moore, Osborn, Palmer, Parks, Payne, Rariden, Reid, Roop, Schconover, Shortridge, Slaughter, Steele, Wilson and Wooden—26.

So said bill was indefinitely postponed.

The third bill of the Senate, named in said message, was twice read (the rules of the House being first dispensed with) when

Mr. Crume moved to postpone it indefinitely,

Which motion did not prevail.

*Ordered*, That the bill pass to a third reading on to-morrow.

The bills of the Senate fourthly and fifthly, and the joint resolutions ninthly and tenthly in said message named, were severally twice read (the rules of the House being dispensed with) and ordered to be read a third time to-morrow.

The bill of the Senate, sixthly therein named, was three times read and passed.

*Ordered*, That the clerk inform the Senate thereof.

The bill of the Senate, seventhly therein named, was twice read and committed to a committee of the whole House for this day, at 2 o'clock, P. M.

The bill of the Senate, eighthly in the above message named, was twice read (the rules of the House having first been dispensed with) when

Mr. Lewis moved to postpone it indefinitely.

Mr. Howell moved that it lie on the table;

Which motion was negatived.

And on the question of postponement,

It was decided in the negative.

The said bill was then read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

The memorial of the Senate last named in said message was twice read (the rules of the House having been dispensed with) when,

Mr. Crume moved to amend it by extending its provisions to Fayette county.

Mr. Smith moved to amend the amendment, so as also to include Rush county;

Which motion did not prevail.

The question was then put on the amendment of Mr. Crume,  
And decided in the negative.

Mr. Levenworth moved to add Crawford to the counties named  
in the memorial;

Which motion was decided in the negative.

Mr. Fowler moved to add Decatur county;

Which motion did not prevail.

Mr. Stanford moved to amend the memorial, by striking out  
the counties specially named therein, and carrying its provisions  
to all the counties in the State.

A division of that question was called for by Mr. Lane;

And before a decision was had thereon,

The House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

Mr. Bryant, from the joint committee of enrolled bills, reported, that they did, on this day, present to the Governor, for his approval and signature, bills of the following titles, to wit:

An act to repeal an act entitled an act to vacate the town  
of Owēnesville, approved Jan. 3, 1828;

An act supplementary to an act entitled "an act regulating  
divorces, approved January 17, 1831;

An act to establish a State road from Bloomington, in Mon-  
roe county, to the Great falls of Eel river;

An act to amend the act entitled "an act directing the mode  
of suing out and prosecuting writs of *habeas corpus*, approved  
January 12, 1828;

An act to define and establish the boundaries of the coun-  
ties of Wabash and Miami;

An act to locate a State road from Greencastle, by the way  
of Putnamville, to Thomas Evan's farm.

An act to provide for the location of a State road from New-  
port in Vermillion county, via Springfield, Eugene and Perrys-  
ville to the northern boundary of said county;

An act supplemental to an act entitled an act to provide  
for selling the Michigan road lands, to open that part of the Mi-  
chigan road between Logansport and Lake Michigan, and for  
other purposes, approved, Feb. 2, 1832;

An act changing the name of John Meek and others;

An act to repeal all special acts and parts of special acts allowing  
the county commissioners of Dearborn county, to lay an ad-  
ditional tax on said county; and

A memorial and joint resolution of the General Assembly, relative to fractional congressional townships.

The House resumed the consideration of the engrossed memorial from the Senate, relating to county libraries, depending at the last adjournment.

Mr. Sands moved to postpone indefinitely said memorial and proposed amendment—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bonner, Boyd, Carter of M. & C., Claypool, Cox, Cristler, Davenport, Davis of Sh'y, Edwards, Fowler, Goodbar, Hamilton, Huntington, Lane, Levenworth, Lowe, Osborn, Parks, Peyton, Pruett, Ribble, Sands, Skeen, Smith, Stafford, Steele, Vawter, Wallace, Woodruff and Davis, Speaker—31.

*And those who voted in the negative, are*

Messrs. Bradbury, Bryant, Buell, Clark, Cravens, Crawford, Dunn, English, Ferguson of C., Ferguson of U., Hanna, Hargrove, Heustis, Howell, Lewis, Livingston, M'Junkin, M'Nary, Mitchell, Moore, Payne, Proffit, Rariden, Reid, Schoonover, Slaughter, Watt and Wilson—28.

So said memorial and proposed amendment were indefinitely postponed.

A message from the Senate, by Mr. Farnham, their Secretary:

MR SPEAKER,

The Senate have passed an engrossed bill, entitled an act to appoint an executive officer of the supreme court, in which the concurrence of the House is requested.

The bill named in said message, was three times read, (the rules of the House having been dispensed with,) and

On the question, shall it pass?

The ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Cravens, Culley, Davenport, Dunn, English, Ferguson of C., Hanna, Heustis, Huntington, Levenworth, Lew-  
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is, Livingston, Mitchell, Moore, Payne, Proffit, Reid, Roop, Slaughter, Smith, Steele, Vawter, and Woodruff—24.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradbury, Bryant, Buell, Carter of M. & C., Carter of O., Claypool, Cox, Crawford, Cristler, Crume, Davis of Sh'y, Edwards, Ferguson of U., Finch, Fowler, Goodbar, Hamilton, Hargrove, Howell, Lane, Lowe, M'Junkin, M'Nary, Osborn, Parks, Peyton Pruett, Rariden, Ribble, Schoonover, Skeen, Stanford, Wallace, Watt, Wilson and Davis, Speaker—38.

So said bill was rejected.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate continue to insist on their 1st, 2d and 4th amendments to the engrossed bill of the House, changing the time for holding the circuit courts in the 1st, 2d, 4th, 5th and 6th judicial circuits.

On the two first named amendments, Messrs. Blair and Beard, and on the 4th amendment, Messrs. Hendricks and Lemon have been respectively appointed on the part of the Senate, committees of free conference, to take into consideration with the committees appointed on the part of the House, the disagreeing votes of the two Houses, on the subject of said amendments.

The Senate concur in all the amendments made by the House to the engrossed bill of the Senate, incorporating congressional townships and providing for public schools therein, except the 3d and to this, the Senate disagree.

The Senate concur in the amendment of the House, to the bill &c. of the Senate, entitled as follows, to wit:

An act for the encouragement of education, and

A joint resolution authorizing the purchase of a complete set of Niles' Register, and a subscription for the future numbers of the Register.

They concur in all the amendments of the House to the bill of the Senate, entitled an act to amend the act, entitled an act regulating the jurisdiction and duties of justices of the peace, approved Feb. 10, 1831, except the 4th amendment, and to this they disagree.

Mr. Lane moved that the House recede from their 3d amendment to the bill of the Senate first above named, which amend-



ment was by reserving to each school district, its proportion of the interest accruing from the school fund of the township, although such district may not have organized or built its school house.

And the ayes and noes being requested by two members,

*Those who voted in the affirmative, are*

Messrs. Bonner, Bryant, Carter of M. & C. Clark, Cox, Culley, Dunn, English, Ferguson of C., Finch, Hargrove, Henley, Heustis, Howell, Huntington, Lane, Levenworth, M'Junkin, M'Nairy, Moore, Payne, Peyton, Proffit, Pruett, Reid, Roop, Skeen, Slaughter, Stanford, Vawter, Wallace and Wilson—32.

*And those who voted in the negative, are*

Messrs. Bell, Boyd, Bradbury, Buell, Carter of O. Claypool, Cravens, Crawford, Cristler, Crume, Davenport, Davis, Edwards, Ferguson of U. Fowler, Goodbar, Hamilton, Hanna, Lewis, Lowe, Osborn, Parks, Rariden, Ribble, Schoonover, Smith, Steele, Watt and Woodruff—28.

So the House receded from their said third amendment.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Huntington moved that the House recede from their fourth amendment to the bill of the Senate, last named in the above message;

Which motion was decided in the negative.

So the House insisted on that amendment.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Dunn, after having obtained leave, presented a joint resolution of the General Assembly of the state of Indiana, relative to the borrowers of public funds;

Which having been read the first time,

Mr. Lane moved to reject,

And on that question,

The ayes and noes being requested by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Boyd, Bradbury, Carter of M. & C., Carter of O., Claypool, Cravens, Cristler, Crume, Daniel, Davenport, Edwards, Ferguson, of U. Fowler, Goodbar, Hamilton, Hargrove, Howell, Lane, Levenworth, Lewis, Lowe, M'Junkin, Moore, Osborn, Palmer, Parks, Payne, Peyton, Pruett, Rariden, Ried, Ribble,

Roop, Schoonover, Skeen, Stanford, Steele, Vawter, Wallace, Watt, Wilson, Woodruff and Davis, Speaker—44.

*And those who voted in the negative, are*

Messrs. Bell, Clark, Cox, Crawford, Culley, Davis of Sh'y, Dunn, Ferguson of C., Hanna, Henley, Heustis, Mastin, M'Nairy, Sands and Shortridge—15.

So said joint resolution was rejected.

Mr. Cravens, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee, to which was referred the petition of sundry citizens of Parke county, praying that the proceedings of the board of commissioners of said county, had at a special session of said board, held on the 10th day of January, 1833, may be legalized, have had that subject under consideration, and directed me to report, that the power of the General Assembly, to declare those things to be lawful, which were not so when they took place, is one very questionable in itself, and never can be exercised either justly or legally, where the interests of individuals are concerned.

There is nothing in the petition, submitted to the consideration of the committee, which will enable the committee to judge of the nature of the business transacted by said board, and of the propriety or impropriety of interfering in the matter.

Much injustice might be done to individuals, by such an interference. In the absence, therefore of all information on the subject, your committee beg leave to report it inexpedient to legislate on the subject, and ask to be discharged from the further consideration thereof;

Which report was read and concurred in.

Mr. Bradbury, from the committee on roads, made the following report:

MR. SPEAKER:

The committee on roads, to which was referred the petition of James Gray and others, praying the location of a state road, commencing at the state road leading from Winchester to New Castle, thence by way of Hagerstown, in Wayne county, to intersect the national road, near Dublin, in said county, have directed me to report, that they have had the same under their consideration, and it appearing that there is strong objections to the location of said road, by citizens living on a portion of said route, and as the

session of this General Assembly is too far advanced, in the opinion of the committee, for the petition to be fully acted upon; the committee therefore ask to be discharged from the further consideration thereof;

Which report was read and concurred in.

On motion of Mr. Osborn,

The vote heretofore taken, rejecting the engrossed joint resolution of the General Assembly, relative to procuring tract books and maps of the purchase of 1828, on the question of its passage, was re-considered.

The question being again put, shall the joint resolution pass?

It was carried in the affirmative.

*Ordered*, That the clerk carry it to the Senate and ask their concurrence.

Mr. Cox having obtained leave, presented a bill to appropriate part of the 3 per cent. fund;

Which was read the first time, and

On motion of Mr. Daniel, rejected.

Mr. Watt, after having obtained leave, presented a bill to legalize the proceedings of the seminary trustees of Union county:

Which was read the 1st, 2d and 3d times, (the rules of the House having first been dispensed with,) and passed.

*Ordered*, That it be entitled an act, and that the clerk carry it to the Senate, and ask their concurrence.

Mr. Carter of O. having obtained leave, presented a bill to declare a certain county road therein named, to be a state road;

Which was twice read, and

On motion of Mr. Carter of O.,

Amended, by expressing the termination of said road, to be at the House of George French.

The bill was then ordered to be engrossed and read a third time to-morrow.

Mr. Hargrove moved to take up the engrossed bill from the Senate, supplemental to an act to authorize the agent of state for the town of Indianapolis, to lay off the land belonging to the state into lots, and to offer the same for sale, approved Feb. 9, 1831, heretofore laid on the table;

Which motion did not prevail.

The House then proceeded to consider the orders of the day.

The bill for the relief of Ann M. Smith,

Was read the second time.

Mr. Davis of Sul. moved that it be committed to a committee

of the whole House for to-morrow, (Mr. Moore occupying the chair, in place of the Speaker.)

Mr. Crume proposed this day now;

And the bill was so committed.

The House then resolved itself into a committee of the whole on said bill, and after some time spent therein, the Speaker resumed the chair, and Mr. Culley reported the same with one amendment;

Which was read and concurred in by the House.

A motion was thereupon made by Mr. Henley, to postpone the bill indefinitely;

Which did not prevail.

Said bill was then considered as engrossed and read the third time;

And on the question, shall said bill pass?

The ayes and noes being requested by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bradbury, Bryant, Claypool, Cox, Cravens, Crawford, Cristler, Crume, Daniel, Davenport, Davis of Sh'y, Edwards, English, Ferguson of C., Finch, Fowler, Goodbar, Hanna, Heustis, Huntington, Lane, Lowe, Mastin, M'Nary, Moore, Osborn, Pruett, Ribble, Roop, Sands, Vawter, Watt, Wilson, and Davis, Speaker—35.

*And those who voted in the negative, are*

Messrs. Bonner, Carter of O., Clark, Culley, Dunn, Ferguson of U., Hargrove, Henley, Howell, Levenworth, Lewis, Palmer, Parks, Payne, Peyton, Rariden, Reid, Schoonover, Shortridge, Skeen, Smith, Steele, Wallace and Woodruff—24.

So said bill passed.

*Ordered*, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence.

The joint resolution concerning the state library, was read the second time.

Mr. Bryant moved to commit it to a committee of the whole House for Monday next.

This day now, was proposed as an amendment to that motion, by Mr. Payne.



And on the question to commit for Monday next,

The ayes and noes being requested by two members,

*Those who voted in the affirmative, are,*

Messrs. Bryant, Culley, Davis of Sh'y, Fowler, Hargrove, Henley, Huntington, Lane, Mastin and M'Junkin—10.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Buell, Carter of M. & C., Carter of O., Clark, Claypool, Cox, Cravens, Crawford, Cristler, Crume, Daniel, Davenport, Dunn, Edwards, English, Ferguson of C., Ferguson of U., Goodbar, Hamilton, Hanna, Heustis, Howell, Levenworth, Lewis, Lowe, M'Nary, Moore, Osborn, Palmer, Parks, Payne, Proffit, Pruett, Rariden, Reid, Ribble, Roop, Sands, Schoonover, Shortridge, Skeen, Slaughter, Smith, Stanford, Steele, Vawter, Wallace, Watt, Wilson, Woodruff and Davis, Speaker—55.

So said motion was decided in the negative.

The question recurring on committing for this day now;  
It was decided in the negative.

Mr. Howell moved to postpone the joint resolution indefinitely.

And the ayes and noes being requested thereon, by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Bryant, Clark, Cravens, Crume, Culley, Daniel, Davis of Sh'y, Dunn, English, Fowler, Hamilton, Hargrove, Henley, Heustis, Howell, Huntington, Lane, Mastin, M'Junkin, Moore, Sands, Shortridge, Skeen, Steele, Woodruff and Davis, Speaker—27.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Bradbury, Buell, Carter of M. & C., Carter of O., Claypool, Cox, Crawford, Cristler, Davenport, Edwards, Ferguson of C., Ferguson of U., Finch, Goodbar, Hanna, Levenworth, Lewis, Livingston, Lowe, M'Nary, Osborn, Palmer, Parks, Payne, Proffit, Pruett, Rariden, Reid, Ribble, Roop, Schoonover, Slaughter, Smith, Stanford, Vawter, Wallace, Watt and Wilson—40.

So said motion was decided in the negative.

*Ordered*, That said joint resolution be engrossed, and read a 3d time to-morrow.

The engrossed bill making specific appropriations for the year 1833,

Was read the third time and passed.

*Ordered*, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence.

The House resolved itself into a committee of the whole, on the bill for the relief of Mary Lane, widow of Daniel C. Lane, late treasurer of state, and after some time spent therein, the Speaker resumed the chair, and Mr. Davenport, reported the same with one amendment;

Which was read and concurred in.

Mr. Proffit moved that the further consideration of said bill be indefinitely postponed;

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Carter of O., Clark, Claypool, Cravens, Crawford, Hamilton, Heustis, Lewis, Lowe, Osborn, Proffit, Rariden, Schoonover, Shortridge, Stanford, and Woodruff—17.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Cox, Cristler, Crume, Daniel, Davenport, Davis of Sh'y, Edwards, English, Ferguson of C., Ferguson of U., Fowler, Goodbar, Hanna, Henley, Lane, Levenworth, M'Junkin, M'Nary, Moore, Payne, Pruett, Reid, Roop, Sands, Skeen, Smith, Steele, Vawter, Wallace, Wooden and Davis, Speaker—33.

So said motion was decided in the negative.

On motion of Mr. Lane,

The rules of the House were dispensed with, the amendment considered as engrossed, and said bill read the 3d time.

And on the question, shall it pass?

The ayes and noes being requested by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bonner, Boyd, Carter of M. & C., Cox, Cristler,

Crume, Culley, Daniel, Davis of Sh'y, English, Ferguson of C. Goodbar, Henley, Lane, Levenworth, M'Junkin, Moore, Payne, Roop, Sands, Steele, Vawter, Wallace and Wooden—25.

*And those who voted in the negative, are*

Messrs. Bradbury, Carter of O., Clark, Cravens, Dunn, Edwards, Ferguson of U., Hamilton Heustis, Lewis, Lowe, Osborn, Palmer, Proffit, Rariden, Reid, Ribble, Schoonover, Shortridge, Skeen, Smith, Stanford, Watt and Woodruff—24.

A quorum not having voted, no decision was pronounced by the Speaker.

And then the House adjourned until to-morrow morning at 9 o'clock.

## THURSDAY, JANUARY 31, 1833.

The House met pursuant to adjournment,

And resumed the consideration of the bill for the relief Mary Lane, widow of Daniel C. Lane, late treasurer of State, depending when the House adjourned on last evening.

The question being put, shall the bill pass?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bonner, Boyd, Bryant, Carter of M. & C., Clark, Cox, Cristler, Crume, Culley, Daniel, Davenport, Davis of Sh'y, English, Ferguson of C., Goodbar, Hanna, Henley, Howell, Huntington, Lane, Levenworth, Livingston, Mastin, M'Junkin, Mitchell, Payne, Sands, Slaughter, Steele, Vawter, Wallace, Wooden and Davis, Speaker—33.

*And those who voted in the negative are,*

Messrs. Bradbury, Buell, Carter of O., Claypool, Cravens,  
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Crawford, Dunn, Edwards, Ferguson of U., Finch, Fowler, Hamilton, Hargrove, Heustis, Lewis, Lowe, M'Nary, Osborn, Palmer, Parks, Peyton, Proffit, Pruett, Rariden, Reid, Ribble, Schoonover, Shortridge, Skeen, Smith, Stanford, Watt, Wilson, and Woodruff—35.

So said bill was rejected.

On motion of Mr. Davis of Sh'y,

The vote taken yesterday on granting leave of absence to all the members of the House from and after Saturday morning next, was reconsidered.

(Mr. Crume occupied the Chair as Speaker.)

The question was then put, shall all the members of the House have leave of absence from and after next Saturday morning, And decided in the negative.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed with amendments engrossed bills of the House of Representatives entitled as follows:

An act to amend an act entitled an act to incorporate the town of Terre Haute, approved, January 26th, 1832; and

An act relative to a certain State road in Rush county.

They recede from their 6th amendment to the engrossed bill of the House, entitled an act to relocate a part of the Martinsville, Danville and Frankfort State road, and for other purposes.

In the amendments proposed to the bills of the House the concurrence of the House of Representatives is requested.

The amendments made by the Senate to the bills of the House named in said message, were read and agreed to.

On motion of Mr. Huntington,

*Resolved*, That this House in connection with the Senate will proceed to the election of three canal commissioners this day at two oclock, P. M.; and that the Senate be requested to meet this House for that purpose in the Representative Hall at that hour, and that be appointed teller on the part of this House.

Whereupon,

Mr. Huntington was appointed teller on part of the House.



*Ordered*, That the clerk inform the Senate thereof.

A message from the Governor, by Mr. Maguire, his private Secretary:

MR. SPEAKER,

I am instructed by His Excellency, the Governor, to inform the House of Representatives, that he has approved and signed acts of the following titles, which originated in the House of Representatives, viz:

And act changing the the name of John Meek and others;

An act to establish a State road from the town of Michigan, to the town of Jefferson, by the way of Frankfort, in the county of Clinton, in Indiana; and

An act to amend the laws now in force relative to the construction of the Wabash and Erie canal.

Mr. Bryant, from the joint committee on enrolled bills reported, that they did, on this day, present to the Governor for his approval and signature, the following enrolled bills, entitled acts, viz:

An act to amend the laws now in force relative to the construction of the Wabash and Erie canal;

An act to establish a State road from the town of Michigan to the town of Jefferson, by the way of Frankford, in the county of Clinton, Indiana;

An act to repeal a part of the act regulating the fees and salaries of the several officers and persons therein named, approved February 7, 1831; and

An act to appropriate part of the three per cent. fund.

On motion of Mr. Reid,

The engrossed bill from the Senate to provide for the improvement of that part of the Wabash river over which the State of Illinois has concurrent jurisdiction with this State, heretofore laid on the table, was taken up.

Mr. Lewis moved to postpone the further consideration thereof until the first Monday in December next.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Bradbury, Carter of O., Clark, Cox, Cravens, Cristler, Culley, Daniel, Davenport, Davis of Sh'y, Edwards, English, Ferguson of C., Ferguson of U., Fowler, Hamilton,

Hanna, Henley, Heustis, Howell, Lane, Levenworth, Lewis, Lowe, M'Nary, Mitchell, Palmer, Parks, Payne, Proffit, Rariden, Reid, Ribble, Roop, Sands, Schoonover, Skeen, Smith, Stanford, Steele, Vawter, Watt, Wooden and Woodruff—45.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bryant, Buell, Carter of M. & C., Claypool, Crawford, Crume, Dunn, Finch, Goodbar, Hargrove, Huntington, Livingston, Mastin, M'Junkin, Osborn, Peyton, Pruett, Shortridge, Slaughter Wallace, and Wilson—24.

So said motion passed in the affirmative.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed bills of the House of Representatives, entitled as follows, to-wit:

An act to locate a State road from Delphi to Munceytown; and,

An act for the location of a State road from Fairplay, in Green county, to intersect the Vincennes State road near Benjamin Staffords,

Without amendment.

The Senate has passed an engrossed bill of the Senate, entitled "an act relative to the Michigan road and the town of South Bend.

In which bill of the Senate, the concurrence of the House of Representatives is requested.

The bill of the Senate named in said message was twice read (the rule of the House being dispensed with) and,

*Ordered* to be read a third time to-morrow.

Mr. Dunn made the following report:

The committee on the Michigan road, to which was referred a resolution of this House, requiring them to enquire into the expediency of allowing James Morrison further compensation for making and issuing patents for the Michigan road lands, have had that subject under consideration, and a majority have directed me to report a bill, entitled a bill to provide for the payment of the Secretary of State for making and issuing patents for Michigan road lands;

Which was twice read (the rules of the House having first been dispensed with) when,

Mr. Daniel moved to postpone the further consideration thereof indefinitely.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Carter of O., Clark, Daniel, Davis of Sh'y., English, Ferguson of U., Fowler, Hamilton, Hargrove, Henley, Heustis, Lane, Levenworth, Osborn, Payne, Rariden, Reid, Roop, Skeen, Smith, Stanford, Vawter, Wilson, Wooden, Woodruff and Davis, Speaker—27.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bryant, Buell, Claypool, Cox, Cravens, Crawford, Cristler, Crume, Culley, Dunn, Edwards, Ferguson of C., Goodbar, Hanna, Howell, Huntington, Lewis, Livingston, M'Junkin, Mitchell, Palmer, Parks, Pruett, Ribble, Sands, Slaughter, Steele and Wallace—31.

So said bill was not indefinitely postponed.

Mr. Wilson moved to amend said bill by striking out "10 cents" (being the allowance to the Secretary of State for issuing patents) and inserting in lieu thereof "64 cents;" a division of the question being called for it was put on striking out,

And was carried in the affirmative.

Mr. Livingston moved to fill the blank with 50 cents;

Mr. Bryant named 25.

Mr. Cravens named 15.

Mr. Carter of O. proposed 5.

The question was put on filling the blank with 50, 25, and 15 cts. respectively,

And decided in the negative.

Mr. M'Junkin moved to fill the blank with 12½ cents;

And before the question was put thereon, it was,

On motion of Mr. Davis of Sh'y,

*Ordered*, That said bill and proposed amendments do lie on the table.

Mr. Bryant made the following report:

**MR. SPEAKER,**

The committee of free conference appointed to take into con-

sideration the disagreeing votes of the two Houses, on the first and second amendments made by the Senate, to the engrossed bill of the House, changing the time for holding the courts in the 1st, 2d, 4th, 5th and 6th judicial circuits have agreed on the accompanying proviso, to be inserted in the first section in lieu of the present proviso, to said section, to be stricken out:

*Provided*, That the next terms of the circuit courts in said several counties shall be held on the days and times following, to-wit: In the county of Vermillion, on the fourth Monday in February; in the county of Fountain, on the second Monday of March; in the county of Montgomery, on the third Monday of March; in the county of Clinton, on the fourth Monday of March; in the county of Tippecanoe, on the first Monday of April; in the county of Warren, on the second Monday of April; and in the county of Parke on the first Monday of May; and after that the provisions, in the first part of this section, shall prevail. The circuit courts shall sit six days in each of said counties, at each term, if the business require it, except in the counties of Vermillion and Parke, where they shall sit at the next terms thereof, twelve days if the business require it; and after that, in the county of Vermillion, only six days: *Provided*, that the circuit court in Parke shall sit at every future term, twelve days if the business require it.

Which was read and concurred in by the House.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Bell made the following report;

The committee of free conference appointed on the part of the two Houses to take into consideration their disagreeing votes on the subject of the 4th amendment of the Senate to the engrossed bill of the House to change the times of holding the circuit courts, in the 1st, 2d, 4th, 5th and 6th judicial circuits, reported that the committee had agreed that the House recede from their disagreement to said amendment;

Which was read and concurred in.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Crume moved the following resolution:

*Resolved*, That the clerk of this House be requested to report the number of petitions, from what counties, the same enumerated and the number of names on each petition asking the establishment of a State Bank,

Which was read, and

On motion of Mr. Bell,

*Ordered*, That the same do lie on the table.



Mr. Reid, after having obtained leave, presented a bill to encourage the detection of horse thieves;

Which was twice read (the rules of the House having first been dispensed with) when,

Mr. Mitchell moved to postpone the further consideration thereof indefinitely;

Which motion was decided in the negative.

Said bill was then considered as engrossed, read a third time and passed.

*Ordered*, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

Mr. Palmer moved to take up the bill to amend an act entitled an act for the relief of purchasers of lots in the town of Indianapolis which have become forfeited to the State;

Which motion did not prevail.

Mr. Shortidge, after having obtained leave, presented a bill supplemental to an act, authorizing the location of a State road from Lafayette, to Lake Michigan;

Which was three times read (the rules of the House having first been dispensed with), and passed.

*Ordered*, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence.

Mr. Livingston, after having obtained leave, presented a bill supplemental to an act entitled an act to authorize the building of bridges across Lick creek and Salt creek, approved Jan. 29, 1830;

Which was read the first, second and third times, and passed.

*Ordered*, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

And then the House adjourned until 2 o'clock P. M.

*2 o'clock, P. M.*

The House met pursuant to adjournment.

The House proceeded to consider the orders of the day.

The bill for the relief of Zachariah Ferguson, Stanhope Royster and John Perrin;

Was read the third time.

Mr. Bell moved to recommit the same to a select committee with instructions to strike out so much thereof as relates to Hancock county;

Which motion did not prevail.

The question was then put, shall said bill pass?  
And was carried in the affirmative.

*Ordered*, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence.

The engrossed bill from the Senate supplemental to an act for regulation of the State Prison, approved Feb. 10th, 1831;  
Was read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Morris their Assistant Secretary:

MR. SPEAKER,

The Senate reciprocate the resolution of the House of Representatives, fixing on this day, at 2 o'clock, P. M. for the election of three canal commissioners, and have appointed Mr. Hanna, teller on the part of the Senate.

On motion of Mr. Hargrove,

*Resolved*, That the Senate be invited to attend, instantler, in the Hall of the House of Representatives, to proceed to the election of three commissioners, and that the clerk inform them that seats are provided for them on the right of the Speaker's chair.

The Senate then came down from their Chamber, and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, when both Houses proceeded by joint ballot of the General Assembly, to the election of three canal commissioners.

On counting the first ballot it appeared that,

David Burr	received	61	votes for that office,
Samuel Lewis	"	53	" "
Jordan Vigus	"	21	" "
John Scott	"	44	" "
Jacob Walker	"	26	" "
John Gardner	"	25	" "
James Gregory	"	25	" "
Scattering		6	

David Burr and Samuell Lewis having each received a majority of all the votes given, were by the President of the Senate, in presence of both Houses of the General Assembly, declared duly elected canal commissioners, the said David Burr for

the term of three years, from and after the 2d day of January, 1833; the said Samuel Lewis for the term of two years, from and after the same time.

No other person having a majority of all the votes given, both Houses, in like manner, proceeded to the election of a third canal commissioner.

On the second ballot,

John Scott	received	40	votes for that office,
Jacob Wallace	"	2	" "
John Gardner	"	3	" "
James Gregory	"	31	" "
Jordan Vigus	"	15	" "
Blank		2	

No person having a majority of all the votes given, both Houses proceeded in like manner, to a third balloting.

On the third ballot,

John Scott	received	43	votes for that office,
James Gregory	"	45	" "
Jordan Vigus	"	3	" "
John Gardner	"	1	" "
Blank		2	

No person having received a majority of all the votes given, both Houses proceeded in like manner to a fourth balloting.

On the fourth balloting,

John Scott	had	45	votes for that office,
James Gregory	"	45	" "
Scattering		3	

There being no election, both Houses proceeded in like manner to a 5th balloting.

On the 5th ballot,

John Scott	had	50	votes for that office,
James Gregory	"	43	" "

John Scott having received a majority of all the votes given, was by the President of the Senate, in presence of both Houses, declared duly elected a commissioner of the Wabash and Erie canal, for the term of one year, from and after the 2d day of January, 1833.

The Senate then retired to their chamber.

The engrossed bill from the Senate, supplemental to an act to provide for the erection of a State House;  
Was read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof, and ask their concurrence in the amendments made by the House.

Mr. Sands moved to reconsider the vote heretofore taken on the indefinite postponement of the engrossed bill from the Senate, to provide for the improvement of that part of the Wabash river, over which the State of Illinois has concurrent jurisdiction with this State.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bonner, Buell, Claypool, Crawford, Crume, Dunn, Finch, Goodbar, Heustis, Huntington, Levenworth, M'Junkin, M'Nary, Osborn, Peyton, Pruett, Sands, Shortridge, Wallace, Wilson, Wooden and Davis, Speaker—22.

*And those who voted in the negative, are*

Messrs. Bell, Boyd, Bradbury, Carter of O., Clark, Cravens, Cristler, Culley, Davenport, Davis of Sh'y, Edwards, Ferguson of C., Ferguson of U., Fowler, Hamilton, Hanna, Hargrove, Henley, Howell, Lane, Lewis, Lowe, Moore, Palmer, Parks, Payne, Proffit, Rariden, Reid, Ribble, Roop, Schoonover, Skeen, Stanford, Steele, Vawter, Watt, and Woodruff—39.

So said motion was decided in the negative.

On motion of Mr. Schoonover,

The vote heretofore taken, rejecting the engrossed bill from the Senate, appointing an executive officer of the supreme court, on the question of its passage, was reconsidered; and

On motion of Mr. Huntington,

Said bill was recommitted to the committee on the judiciary with instructions to restrict the mileage allowable to said officer, to the distance from the county seat where process may be served to the place of service, and to allow him double postage on the transmission of process by mail.

The engrossed bill from the Senate, declaratory of the powers of notaries public, was read the third time;

And on the question, shall the bill pass?



The ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Bryant, Buell, Clark, Cravens, Crawford, Culley, Dunn, English, Finch, Goodbar, Hanna, Henley, Heustis, Huntington, Lane, Levenworth, M'Junkin, M'Nary, Moore, Palmer, Parks, Payne, Pruett, Rariden, Roop, Sands, Schoonover, Shortridge, Steele, Vawter, Wallace, Wooden, Woodruff and Davis, Speaker—36.

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Carter of O., Claypool, Cox, Cristler, Crume, Davenport, Davis of Sh'y, Edwards, Ferguson of U., Fowler, Hamilton, Hargrove, Howell, Lewis, Lowe, Osborn, Peyton Proffit, Reid, Ribble, Skeen, Stanford and Watt—25.

So said bill passed.

*Ordered,* That the clerk inform the Senate thereof.

Mr. Pruett moved to take up the bill to appropriate the Wabash fund, heretofore laid on the table;

Which motion did not prevail.

The engrossed bill from the Senate, to amend the act entitled "an act to incorporate the Richmond, Eaton and Miami Rail Road company," approved Feb. 3, 1832; and

The engrossed joint resolution from the Senate relative to the Indiana College,

Were severally read a third time and passed.

*Ordered,* That the clerk inform the Senate thereof.

The engrossed joint resolution from the Senate to provide for binding and distributing the acts of Congress, deposited in the office of the Secretary of State,

Was read the third time.

Mr. Rariden moved to recommit it to a select committee, with instructions to make the distribution equal among the counties;

Which motion did not prevail.

The question being then put, shall said joint resolution pass?

It was carried in the affirmative.

*Ordered,* That the clerk inform the Senate thereof.

The engrossed bill from the Senate to establish a levee from the town of Vincennes, through the lower prairie, near the Wabash river to the Grande Coulee, was read the third time, amended by unanimous consent and passed.

*Ordered*, That the clerk inform the Senate thereof, and ask their concurrence in the amendment.

Mr. Davenport moved to suspend the orders of the day and to take up the bill providing for taking the valuation of the taxable property, within this state, preparatory to the introduction of an advalorem system of taxation;

Which motion was decided in the negative.

The engrossed bill to declare a certain county road therein named, to be a state road,

Was read the third time and passed.

*Ordered*, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence.

The engrossed joint resolution concerning the state library,  
Was read the third time.

And on the question,  
Shall the joint resolution pass?

The ayes and noes being requested by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bonner, Bradbury, Carter of O., Claypool, Cox, Crawford, Cristler, Davenport, Davis of Sh'y, Finch, Fowler, Ferguson of U., Hanna, Hargrove, Levenworth, Lewis, Lowe, Osborn, Palmer, Parks, Payne, Proffit, Pruett, Rariden, Reid, Rôop, Schoonover, Stanford, Vawter, Watt, and Wooden—33.

*And those who voted in the negative, are*

Messrs. Boyd, Bryant, Buell, Clark, Cravens, Crume, Culley, Dunn, Edwards, Goodbar, Hamilton, Henley, Heustis, Howell, Huntington, Lane, M'Junkn, M'Nary, Moore, Sands, Shortridge, Skeen, Steele, Wallace, Woodruff and Davis, Speaker—26.

So said joint resolution passed.

*Ordered*, That the clerk carry it to the Senate and ask their concurrence.

Mr. Payne, from the joint committee on enrolled bills report that they had compared the enrolled with the engrossed bills entitled as follow, to-wit:

An act for the location of a State road;

An act to amend the act entitled an act for opening and repairing public roads and highways, approved February 10, 1831;

- An act to permit Jacob Studybaker and Thomas Thomas to keep their mills in operation on the Elkhart river;

An act to relocate part of the State road leading from Martinsville in Morgan county to Danville in Hendricks county;

An act to incorporate the county Seminary of Posey and for other purposes;

An act to amend an act entitled an act for the location and opening a State road from Logansport, via Turkey creek and Elkhart prairie, to the northern line of the State in the direction of Pigeon prairie, in the Michigan Territory, approved December 29, 1830;

An act to vacate the town of Dunkintown in Sullivan county;

An act to amend the act to provide for electing county and township officers, approved January 30, 1831;

An act to authorize the Governor to commence suits in the Dearborn circuit court, to recover the possession and title to certain lands belonging to the state;

An act to establish a State road from Fairfield in Franklin county to West Union in Fayette county;

An act concerning a school section in Tippecanoe county;

An act to alter a part of the Mooresville and Crawfordsville State road lying between Mooresville and Danville;

An act to relocate part of the Terre-Haute State road;

An act supplemental to an act entitled an act to amend the act entitled an act to establish a State road from William Connelly's in Lawrence county to Greencastle in Putnam county, approved Feb. 3, 1832;

An act providing for the location of a State road from Delphi in Carroll county, to Crawfordsville in Montgomery county;

An act to amend an act entitled an act to incorporate the town of Madison, approved February 6th, 1831;

An act amendatory of an act to incorporate the town of Lawrenceburgh;

An act authorizing a change in a part of the Munceytown and Logansport State road;

An act to incorporate a board of trustees for the promotion of schools and education in Clark's Grant;

An act for the relief of the heirs of Arthur Major;

An act to establish a State road from Mount Pleasant in Martin county, to Springville, in Lawrence county;

An act to amend an act entitled an act to incorporate the town of Terre-Haute, approved January 26, 1832;

An act to establish a state road from Fairplay, in Green county, to intersect the Vincennes state road, at or near Benjamin Stafford's, in said county;

An act to locate the Alquina State road;

An act to locate a state road from Delphi to Munceytown,

An act to locate a State road from James Marrs', in Bartholomew county, to Joab Woodruff's, in Johnson county;

An act relative to a certain state road in Rush county;

An act to authorize Joseph Morgan, former collector of Pike, yet to collect any taxes remaining due and unpaid in said county, for the year or years for which said Morgan was collector:

And find the same truly enrolled;

Whereupon,

The Speaker signed said bills.

*Ordered*, That the clerk carry the same to the Senate for the signature of their President.

On motion of Mr. Hanna,

The bill to amend an act for the relief of purchasers of lots in the town of Indianapolis which have become forfeited to the state, heretofore laid on the table, was taken up.

The said bill was then read the third time and passed.

*Ordered*, That it be entitled an act, and that the clerk carry it to the Senate, and ask their concurrence.

On motion of Mr. Huntington,

The bill for the relief of George W. Dewees, heretofore laid on the table, was taken up, read the third time and passed.

*Ordered*, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Finch,

The vote this day taken rejecting the engrossed bill from the Senate for the relief of Mary Lane, widow of Daniel C. Lane, late Treasurer of State, on the question of its passage, was reconsidered.

The question being again put, shall said bill pass?

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Boyd, Bryant, Cox, Crawford, Cristler, Crume, Culley, Davenport, Davis of Sh'y., English, Ferguson of C., Goodbar, Hanna, Henley, Howell, Huntington, Lane, Levenworth, Livingston, M'Junkin, Moore, Payne, Roop, Sands, Slaughter, Steele, Vawter, Wallace, Wooden, Woodruff and Davis, Speaker—32.

*And those who voted in the negative, are*

Messrs. Bradbury, Buell, Carter of O. Clark, Claypool, Cravens, Dunn, Edwards, Fowler, Hamilton, Hargrove, Heustis,



Lewis, Lowe, M'Nary, Osborn, Palmer, Parks, Peyton, Proffit, Pruett, Reid, Ribble, Schoonover, Shortridge, Skeen, and Stanford—27.

So said bill passed.

*Ordered*, That the clerk inform<sup>r</sup> the Senate thereof, and ask their concurrence in the amendment made thereto by they House.

Mr. Lane asked and obtained leave to withdraw the papers accompanying the bill to arrest certain titles in Mt. Vernon, and for the benefit of Thomas Givens.

On motion of Mr. Levenworth,

The engrossed bill from the Senate, supplemental to "an act to authorize the agent of State for the town of Indianapolis, to lay off the land belonging to the State, into lots and to offer the same for sale" approved Feb. 9, 1831, heretofore laid on the table, was taken up.

The question recurring on agreeing to the second amendment reported thereto by the committee on the affairs of Indianapolis; It was decided in the negative.

Mr. Hargrove moved to amend the third amendment of the committee, which provides for a reduction of the salary of the agent of the State, from and after his next election, by making such reduction to take effect from this time;

Which motion did not prevail.

Mr. Lewis moved to postpone indefinitely the bill and proposed amendment;

Which motion was decided in the negative.

The said third amendment was then concurred in, and

The amendments being considered as engrossed, the bill was read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof and ask their concurrence in said amendments.

And then the House adjourned until to-morrow morning at 9 o'clock.

FRIDAY, FEBRUARY 1st, 1833.

The House met pursuant to adjournment.

Mr. Wilson asked and obtained leave of absence from the service of the House from this time for and during the remainder of the session.

Mr. Culley asked leave of absence for Mr. Henley from and after to-morrow;

Which leave was not granted.

Mr. Wooden asked leave of absence from the service of the House from and after to-morrow morning;

Which leave was not granted by the House.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate concur in the report of the committees of free conference, appointed on the part of the Senate, to act with a similar committee on the part of the House, to take into consideration the disagreeing votes of the two Houses, on the bill of the House changing the times of holding courts in the 1st, 2d, 4th, 5th and 6th judicial circuits.

The Senate concur in the amendments proposed by the House to the engrossed bill of the Senate entitled an act supplemental to an act to regulate divorces.

The Senate recede from their disagreement to the 4th amendment of the House to the engrossed bill of the Senate to amend the act entitled an act regulating the jurisdiction and duties of justices of the peace, approved February 10th, 1831.

The Senate has passed the following engrossed bills of the House entitled acts, as follows, to wit:

An act supplemental to an act authorizing the location of a State road from Lafayette to Lake Michigan;

An act to locate a state road from Frenchtown in Warren county to Lusk's mill in Parke county;

An act to incorporate a company to build a bridge across the St. Joseph river, at South Bend;

An act to establish a state road from Frankford to a point on the Michigan road and for other purposes;

An act to locate a state road from Centreville, in Wayne county, to a certain point in Henry county;

An act to authorize the expenditure of the 3 per cent. fund, heretofore appropriated for the county of Adams, without amendment.

They have also passed a bill of the Senate entitled an act to provide for the collection, apportionment and payment of a debt due the state by the late Julius Johnson, formerly collector of Martin county;

In which bill of the Senate the concurrence of the House of Representatives is requested.

The bill last named in said message was read the first time; when

Mr. Rariden moved to reject the same—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Bradbury, Buell, Carter of M. & C., Carter of O., Clark, Cristler, Culley, Davenport, Dunn, Edwards, Fowler, Hamilton, Hargrove, Heustis, Levenworth, Lewis, Lowe, Osborn, Parks, Peyton, Proffit, Pruett, Rariden, Reid, Ribble, Roop, Schoonover, Shortridge, Smith, Stanford, Steele, Watt and Woodruff—35.

*And those who voted in the negative are,*

Messrs. Bell, Cox, Crawford, English, Ferguson of U., Finch, Goodbar, Hanna, Henley, Howell, Huntington, Lane, Mastin, M'Junkin, M'Nary, Moore, Payne, Slaughter, Vawter, Wallace, Wooden and Davis, Speaker—22.

So said bill was rejected.

A message from the Senate by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed the following engrossed bills of the House, entitled acts, as follows, to wit:

An act to legalize the proceedings of the seminary trustees of Union county;

An act to vacate a part of a certain state road therein named;

An act supplemental to an act entitled an act to authorize the building a bridge across Lick creek and Salt creek, approved January 29, 1830;

An act to establish a state road from New Albany in Floyd county to Lexington in Scott county, by the way of Charlestown in Clark county, Indiana, and for other purposes;

An act to appropriate a part of the three per cent. fund in the county of Morgan; and

An engrossed joint resolution of the General Assembly, relative to procuring tract books and maps of the purchase of 1828:

The first three without, the others with amendments to each, in which the concurrence of the House of Representatives is requested.

The first amendment proposed by the Senate, to the 4th bill of the House named in said message, was read and agreed to.

The second amendment, proposed by the Senate to said bill, was read, and on the question, will the House concur therein?

The ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Davis of Sh'y, Ferguson of C., Finch, Fowler, Hamilton, Henley, Howell, Lane, Lewis, Osborn, Palmer, Parks, Ribble and Skeen—14.

*And those who voted in the negative are,*

Messrs. Bell, Boyd, Bradbury, Bryant, Buell, Clark, Cravens, Crawford, Cristler, Crume, Davenport, Dunn, Edwards, English, Goodbar, Hanna, Hargrove, Heustis, Huntington, Levenworth, Lowe, Mastin, M'Junkin, Moore, Payne, Proffit, Reid, Roop, Sands, Schoonover, Shortridge, Slaughter, Smith, Stantord, Steele, Vawter, Wallace and Woodruff—38.

So said amendment was not concurred in.

*Ordered,* That the Clerk inform the Senate thereof.

The amendment proposed by the Senate to the 5th bill of the House, named in said message, was read and concurred in by the House.

The amendment proposed by the Senate to the joint resolution named in said message was read; when,

On motion of Mr. Steele,

Said amendment was amended by adding thereto the following: "for which service the Auditor shall be allowed such sum as the Governor, upon the inspection of the work, shall deem just and reasonable.

Said amendment, as amended, was then concurred in by the House.

*Ordered,* That the Clerk inform the Senate and ask their concurrence in the amendment made by the House, to the amendment of the Senate.

Mr. Moore from the judiciary committee to which was recommended the engrossed bill of the Senate to appoint an executive of



ficer to the Supreme Court, reported the same with one amendment;

Which was read and concurred in.

The question was then put, shall said bill pass?

And was carried in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof and ask their concurrence in the amendment made by the House.

Mr. Stanford moved the following resolution:

*Resolved*, That the Senate be informed that the House of Representatives have gone through with the business before them and are now ready to adjourn *sine die*, and that a similar resolution on their part be requested;

Which was read; and

On motion of Mr. Dunn,

Laid on the table.

Mr. Wooden moved the following resolution, which was read and unanimously adopted, (Mr. Reid occupying the chair in place of the Speaker) to wit:

*Resolved*, That the thanks of this House be presented to the Hon. John W. Davis, for the dignified and impartial manner in which he has presided over its deliberations during the present session.

Mr. Proffit, after having obtained leave, presented a joint resolution authorising the suspension of a suit vs. Julius Johnson and others,

Which was twice read (the rules of the House having first been dispensed with), when

Mr. Crume moved to commit the same to a committee of the whole House for this day now;

Which motion did not prevail.

On motion of Mr. Dunn,

Said joint resolution was amended by adding thereto a proviso, so as to compel said securities to pay one third of the amount so due, annually.

Said resolution, as amended, was considered as engrossed, read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof and ask their concurrence.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed an engrossed bill of the Senate to au-

thorize the Agent of State for the town of Indianapolis to sell and convey certain lands;

In which the concurrence of the House of Representatives is requested.

The bill named in said message was twice read (the rules of the House being dispensed with.)

On motion of Mr. Crume,

The House resolved itself into a committee of the whole on said bill, and after some time spent therein, the Speaker resumed the chair, and Mr. Lane reported the same with one amendment;

Which was read and concurred in by the House.

Mr. Cravens moved further to amend said bill by adding the following as an additional section:

"Sec. That said Agent shall be authorized to receive payment in advance, for any lots, blocks or parcels of land in the town of Indianapolis or on the donation lands adjacent thereto, heretofore or hereafter to be sold, whenever the same may be offered, with a deduction therefrom of five per cent. interest thereon, in proportion to the time that the same shall be so offered and paid, before the time when the same would become due, according to the original terms of sale, and on final payment, to execute deeds accordingly;

Which motion passed in the affirmative.

Mr. Crume moved to recommit said bill to a select committee, with instructions "to provide for the sale of block No. 48"—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Boyd, Bryant, Carter of M. & C., Cox, Cristler, Crume, Ferguson of U., Goodbar, Hamilton, Lowe, M'Nary, Osborn, Pruett, Ribble, Smith and Watt—16.

*And those who voted in the negative are,*

Messrs. Bell, Bradbury, Clark, Cravens, Crawford, Culley, Davenport, Dunn, Edwards, English, Fitch, Fowler, Hanna, Heustis, Howell, Huntington, Lane, Levenworth, Lewis, Livingston, M'Junkin, Palmer, Parks, Payne, Rariden, Reid, Roop, Sands, Schoonover, Shortridge, Skeen, Stanford, Steele, Vawter, Wallace, Woodruff and Davis, Speaker—38.

So said motion was decided in the negative.

On motion of Mr. Palmer,

Said bill was further amended by directing the sale on the first Monday in June next.

Mr. Vawter moved further to amend the same, by adding thereto the following proviso:

*Provided however,* That nothing herein contained shall ever be construed so as to prevent the state from regaining title to said land, on refunding the money received, to the first purchasers, or to the future owners thereof;

Which motion was decided in the negative.

Mr. Howell moved to postpone the further consideration of said bill and amendments indefinitely—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Bradbury, Bryant, Buell, Carter of M. & C., Clark, Claypool. Cox, Cravens, Crawford, Cristler, Crume, Davenport, Edwards, English, Ferguson of U., Fowler, Goodbar, Hargrove, Howell, Huntington, Levenworth, Lewis, Lowe, M'Junkin, M'Nary, Moore, Osborn, Payne, Peyton, Proffit, Pruet, Rariden, Reid, Ribble, Roop, Sands, Schoonover, Shortridge, Skeen, Slaughter, Smith, Stanford, Steele, Vawter, Watt and Woodruff—48.

*And those who voted in the negative are,*

Messrs. Culley, Dunn, Finch, Hanna, Henley, Livingston, Palmer, and Wallace—8.

So said bill and amendments were indefinitely postponed.

Mr. Dunn, after having obtained leave, presented a bill concerning legal process;

Which was twice read (the rules of the House having first been dispensed with.)

Mr. Proffit moved to commit said bill to a committee of the whole House and make it the order of the day for this day, at one o'clock, P. M.

Which motion was decided in the negative.

Said bill was then considered as engrossed, read a third time and passed.

*Ordered,* That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Moore,

*Resolved,* That the Enrolling Clerk of this House, be authorized to employ an assistant Enrolling Clerk, if thought necessary by him, to do so, with a view to a speedy enrollment of all bills depending.

Mr. Bryant, from the joint committee of enrolled bills, reported, that they did, on this day, present to the Governor, for his approval and signature, bills of the following titles, to wit:

An act supplemental to an act, entitled an act to amend the act entitled, an act to establish a state road from William Connelly's, in Lawrence county, to Green Castle, in Putnam county, approved February 3, 1832;

An act to re-locate part of the state road leading from Martinsville, in Morgan county to Danville, in Hendricks county;

An act to permit Jacob Studybaker and Thomas Thomas to keep their mills in operation on the Elkhart river;

An act to amend the act, entitled an act for opening and repairing public roads and highways, approved Feb. 10, 1831;

An act for the location of a state road;

An act relative to a state road in Rush county;

An act concerning a school section in Tippecanoe county;

An act to establish a state road from Mount Pleasant, in Martin county, to Springville, in Lawrence county;

An act to vacate the town called Duncantown, in Sullivan county;

An act to amend an act, entitled an act for the location and opening a state road from Logansport, via Turkey creek and Elkhart prairies, to the northern line of the state, in the direction of Pigeon prairie, in Michigan territory, approved Dec. 29, 1830;

An act to authorize the Governor to commence suits in the Dearborn circuit court, to recover the possession and title to certain lands belonging to the state;

An act to amend the act to provide for electing county and township officers, approved Jan. 30, 1831;

An act to incorporate the county seminary of Posey, and for other purposes;

An act authorizing a change in a part of the Munceytown and Logansport state road;

An act to incorporate a board of trustees for the promotion of schools and education in Clark's grant;

An act for the relief of the heirs of Arthur Major;

An act to locate the Alquina state road;

An act to establish a state road from Fairplay, in Green county, to intersect the Vincennes state road, at or near Benjamin Stafford's, in said county;

An act to amend an act, entitled an act to incorporate the town of Terre Haute, approved Jan. 26, 1832;

An act to authorize Joseph Morgan, former collector of Pike, yet to collect any taxes remaining due and unpaid in said county, for the year or years for which said Morgan was collector;

An act to establish a state road from Fairfield, in Franklin county, to West Union, in Fayette county;



An act to locate a state road from James Marr's, in Bartholomew county, to Joab Woodruff's, in Johnson county;

An act to locate a state road from Delphi to Munceytown;

An act locating a state road from Delphi, in Carroll county, to Crawfordsville, in Montgomery county;

An act to alter a part of the Mooresville and Crawfordsville state road, lying between Mooresville and Danville;

An act to amend an act, entitled an act to incorporate the town of Madison, approved Feb. 6, 1831;

An act to re-locate a part of the Terre Haute state road;

An act amendatory of an act to incorporate the town of Lawrenceburgh.

And then the House adjourned until 2 o'clock, P. M.

*2 o'clock P. M.*

The House met pursuant to adjournment.

Mr. Bell, after having obtained leave, presented a bill for the relief of Mary Ann Hamilton;

Which was read the first time,

When Mr. Henley moved to reject the same;

And the ayes and noes being requested by two members,

*Those who voted in the affirmative, are*

Messrs. Bonner, Cravens, Culley, Dunn, Hargrove, Henley, Heustis, Levenworth, Lewis, M'Junkin, Parks, Peyton, Schoonover, Smith, Steele, Wallace and Davis, Speaker—17.

*And those who voted in the negative, are*

Messrs. Bell, Boyd, Bradbury, Bryant, Buell, Carter of M. & C. Clark, Claypool, Crawford, Cristler, Crume, Daveuport, Davis of Shy, Edwards, English, Ferguson of C., Ferguson of U. Finck, Fowler, Goodbar, Howell, Lane, Livingston, Mastin, Osborn, Palmer, Pruett, Rariden, Reid, Ribble, Roop, Sands, Skeen, Slaughter, Stanford, Vawter, Watt and Woodruff—37.

So said motion was decided in the negative.

The bill was then read the second time.

Mr. Rariden moved to amend it by striking it out from the enacting clause, and inserting the following:

\*That so much of the act, regulating divorcees, as requires two

years absence to constitute a cause of divorce, be and the same is hereby repealed;"

Which motion was decided in the negative.

Said bill was then considered as engrossed and read the third time.

And on the question, shall the bill pass?

The ayes and noes being requested by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bradbury, Bryant, Buell, Carter of M. & C., Clark, Claypool, Crawford, Cristler, Crume, Daniel, Davenport, Davis of Sh'y, Edwards, English, Ferguson of C., Finch, Fowler, Goodbar, Heustis, Huntington, Livingston, Lowe, Mastin, M'Nairy, Osborn, Palmer, Pruett, Ried, Ribble, Roop, Sands, Skeen, Slaughter, Stanford, Vawter and Watt—37.

*And those who voted in the negative, are*

Messrs. Bonner, Boyd, Carter of O., Cravens, Culley, Dunn, Ferguson, of U. Hargrove, Henley, Howell, Levenworth, Lewis, M'Junkin, Parks, Peyton, Schoonover, Smith, Steele, Wallace and Davis, Speaker—20.

So said bill passed.

*Ordered*, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

A message from the Senate by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate disagree to the 1st and 2d amendments proposed by the House, to the bill of the Senate, supplemental to an act to provide for the erection of a state house, but concur in the 3d amendment to said bill.

They concur in all the amendments proposed by the House, to the bills of the Senate, entitled,

An act to establish a levee from the town of Vincennes, through the lower prairie, near the Wabash river, to the Grand Coulee;

An act for the relief of Mary Lane, widow of Daniel C. Lane, late treasurer of state;

An act supplemental to an act to authorize the agent of state, for the town of Indianapolis, to lay off the land belonging to the state into lots and offer the same for sale, approved February 9, 1831;

An act to appoint an executive officer of the supreme court.

They have passed an engrossed joint resolution of the House, authorizing the suspension of a suit against Julius Johnson and others, with an amendment, in which the concurrence of the House is requested.

The House receded from their first and insisted upon their second amendment to the bill of the Senate, first named in said message, and agreed to the amendment proposed by the Senate to the joint resolution of the House last named.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR SPEAKER,

The Senate has passed an engrossed bill of the House, entitled an act to amend an act, regulating the interest of money in the state of Indiana, approved Feb. 1, 1831, with amendments, in which the concurrence of the House of Representatives is requested.

Mr. Huntington moved to lay the bill named in said message and proposed amendments of the Senate, on the table.

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Bryant, Carter of M. & C., Clark, Cox, Crawford, Daniel, Davis of Sh'., Dunn, English, Finch, Fowler, Heustis, Huntington, Livingston, Mastin, Osborn, Roop, Shortridge, Skeen, Slaughter, Vawter, Wallace and Wooden—25.

*And those who voted in the negative are,*

Messrs. Bonner, Bradbury, Buell, Carter of O., Claypool, Cravens, Cristler, Crume, Culley, Davenport, Edwards, Ferguson of C., Ferguson of U., Goodbar, Hargrove, Henley, Howell, Lane, Levenworth, Lewis, Lowe, M'Nary, Palmer, Parks, Payne, Peyton, Proffit, Pruett, Reid, Ribble, Sands, Shoonover, Stanford, Steele, Watt, Woodruff and Davis, Speaker—37.

So said motion was decided in the negative.

And on the question to concur in the first amendment of the

Senate, which fixed the rate of interest at 6 per cent. with the right to parties to contract by writing, for 10 per cent.

The ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Buell, Claypool, Culley, English, Finch, Fowler, Goodbar, Hargrove, Howell, Huntington, Lane, Levenworth, Lowe, M'Junkin, M'Nary, Osborn, Parks, Payne, Reid, Roop, Sands, Shortridge, Wallace, Woodruff and Davis, Speaker—25.

*And those who voted in the negative are,*

Messrs. Bell, Bonner, Boyd, Bradbury, Bryant, Carter of M. & C., Carter of O., Clark, Cravens, Crawford, Cristler, Crume, Daniel, Davenport, Davis, Dunn, Edwards, Ferguson of C., Ferguson of U., Hanna, Henley, Heustis, Lewis, Livingston, Mastin, Palmer, Peyton, Proffit, Pruett, Rariden, Ribble, Schoonover, Skeen, Slaughter, Stanford, Steele, Vawter, Watt, and Wooden—40.

So the House disagreed to said amendment.

The House disagreed to the second amendment of the Senate to said bill, and concurred in the third amendment with an amendment.

*Ordered,* That the clerk inform the Senate thereof, and ask their concurrence in said amendment of the House, to said third amendment of the Senate.

A message from the Senate by Mr. Morris, their Assistant Secretary:

MR. SPEAKER:

The Senate has passed a joint resolution of the House of Representatives, entitled a joint resolution of the General Assembly, for the benefit of state debtors, with amendments, in which the concurrence of the House of Representatives is requested.

The above named amendments of the Senate were read and agreed to.

*Ordered,* That the clerk inform the Senate thereof.

Mr. Bryant, from the joint committee of enrolled bills reported, that they have compared the enrolled with the engrossed bills, entitled as follows, viz:



An act to locate a State road from Andersontown, in Madison county, to Logansport in Cass county;

An act supplemental to the act, entitled an act to establish a state road from the county seat of Grant, to the county seat of Elkhart, approved January 24, 1832, and

A memorial of the General Assembly of the state of Indiana, to the Congress of the United States, on the subject of unproductive sixteenth sections;

And find the same truly enrolled.

Whereupon,

The speaker signed said bills and memorial.

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

The House proceeded to consider the orders of the day.

The engrossed bill from the Senate, relative to the Michigan road, and the town of South Bend,

Was read the third time, and

On the question of its passage, rejected.

A motion was made by Mr. Dunn, to re-consider the vote taken this day, disagreeing to the 1st and 2d amendments of the Senate, to the bill of the House, to amend the act regulating the interest of money in the state of Indiana;

Which motion did not prevail.

Mr. Payne, from the committee on enrolled bills, reported that said committee had compared the engrossed with the enrolled bills, entitled as follows:

An act to re-locate a part of the Martinsville, Danville and Frankfort state road, and for other purposes;

An act to locate and establish a State road in Elkhart county, from the Fort Wayne State road near Stephen Stutsman's, by the way of the mouth of Elkhart river to the State line, in the direction of Edwardsburgh in Michigan territory;

An act incorporating congressional townships and providing for public schools therein;

An act to quiet certain titles in Mount Vernon and for the benefit of Thomas Givens;

An act to establish a State road from Orleans in Orange county via Livonia in Washington county, to intersect the State road leading from New-Albany to Vincennes, in the direction of Greenville in Floyd county;

An act to establish a State road from Madison in Jefferson county to Paoli in Orange county;

An act to incorporate the Liberty School society;

An act to locate a State road from New Castle in Henry county to Munceytown in Delaware county;

An act to relocate so much of the Knightstown State road as lies between Pendleton, in Madison county and Strawtown, in Hamilton county;

An act to provide for the election of a justice of the peace in the town of St. Omer;

An act to relocate a part of the Mauk's ferry State road;

An act to authorize and require the Seminary Trustee of the county of Scott and the Treasurer of the Library of said county to loan certain monies within their control;

A preamble and joint resolution in relation to horses lost by the volunteer militia of Indiana;

An act providing for the construction of a bridge over Mill creek in Owen county;

An act to establish a State road from Salisbury in Harrison county to Providence in Clark county, by the way of Greenville in Floyd county;

An act to locate a State road from Lagrange in Tippecanoe county to the State road leading from Williamsport in Warren county to Chicago in the State of Illinois, and

An act changing the time for holding the circuit courts in the first, second, fourth, fifth and sixth judicial circuits.

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills, &c.

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

Mr. Reid moved that Mr. Bryant have leave of absence from the service of this House, from and after to-morrow morning, during the residue of the session;

Which motion was determined in the negative.

On motion of Mr. Vawter,

The vote heretofore taken on the indefinite postponement of the engrossed bill from the Senate, for the relief of Andrew M<sup>c</sup>Coy, was re-considered.

Mr. Reid moved to amend the bill by striking out so much thereof as imposes liability on the county of Franklin;

Which amendment was,

On motion of Mr. Skeen,

Amended by striking out Repley county;

And as amended, was agreed to.

Mr. Davis of Sh'y, moved to consider the amendments as engrossed, and read the bill a third time now.

Pending that question, it was,  
On motion of Mr. Stanford,

*Ordered*, That the bill do lie on the table.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER:

The Senate has passed an engrossed bill of the House of Representatives, entitled an act to amend the read law, and for other purposes, with amendments.

They have passed an engrossed bill of the Senate, entitled an act to amend the act concerning county seminaries, approved Jan. 19, 1831, and

An act to reduce the salary of the agent of the 3 per cent. fund.

In which bills of the Senate, the concurrence of the House of Representatives is requested.

The above named amendments of the Senate, were read and agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

The bill of the Senate, first named in said message, was twice read, (the rules of the House having first been dispensed with,) and committed to a select committee of Messrs. Rariden, Bryant and Lane.

The bill of the Senate last named in the message, was twice read, and

On motion of Mr. Stanford,

Amended, by fixing the salary of the agent of the 3 per cent. fund, at \$150, instead of one per cent, on the amount disbursed.

The said bill was then,

On motion of Mr. Palmer,

*Ordered* to be laid on the table.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER:

The Senate has passed an engrossed bill of the Senate, entitled an act in relation to the secretary and treasurer of state, and for other purposes.

In which the concurrence of the House of Representatives is requested.

The bill above named was twice read and committed to the committee on claims.

A message from the Senate, by Mr. Hanna, one of their members:

**MR. SPEAKER:**

The Senate has passed an engrossed bill of the Senate, entitled an act for the establishment of the St. Joseph orphan assylum.

In which the concurrence of the House of Representatives is requested.

The bill named in said message, was twice read, (the rules of the House being dispensed with,) and

On motion of Mr. Vawter,

Amended, by adding the following as an additional section, to wit:

"Sec. The Legislature reserves to the same, the right to revise or amend the provisions of this act of incorporation, at any time after 10 years, so as, however, not to impair the fundamental principles of the incorporation."

On motion of Mr. Huntington,

The bill was further amended, as follows:

14th sec. after 'L. Picot,' insert 'of Knox,' and after 'J. P. Laramier,' strike out 'Knox,' and insert 'Davies county.'

The amendments were then considered as engrossed, the bill read the third time and passed.

*Ordered,* That the clerk inform the Senate thereof, and ask their concurrence.

On motion of Mr. Palmer,

The engrossed bill from the Senate, to reduce the salary of the agent of the 3 per cent. fund, this day laid on the table, was taken up, and

On motion of Mr. Palmer,

The same was amended, by adding the following, as additional sections, to wit:

Sec. 3. That the term of the present agent of the 3 per cent. fund, shall expire and terminate on the 1st Monday of January, 1834.

Sec. 4. That an agent of the 3 per cent. fund, shall, at the next session of the General Assembly, be elected by a joint vote of the two Houses, viva voce, and biennially thereafter.



The amendments then being considered as engrossed, the bill was read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof, and ask their concurrence in said amendments of the House.

Mr. Steele moved to re-consider the vote, this day taken, on the indefinite postponement of the engrossed bill from the Senate, to authorize the agent of state, for the town of Indianapolis, to sell and convey certain lands,

And the ayes and noes being requested by two members,

*Those who voted in the affirmative are,*

Messrs. Clark, Cravens, Crawford, Culley, Dunn, Finch, Hanna, Heustis, Huntington, Lane, Livingston, Palmer, Proffit, Roop, Slaughter, Steele, Wallace and Davis, Speaker—18.

*And those who voted in the negative are,*

Messrs. Bell, Bonser, Boyd, Bradbury, Bryant, Buell, Carter of M. & C., Carter of O., Claypool, Cox, Cristler, Crume, Daniel, Davenport, Davis of Shy, Edwards, English, Ferguson of C., Fowler, Goodbar, Hargrove, Howell, Levenworth, Lewis, Lowe, Mastin, M'Junkin, M'Nary, Moore, Osborn, Parks, Payne, Peyton, Reid, Ribble, Sands, Schoonover, Shortridge, Skeen, Smith, Stanford, Vawter, Watt and Woodruff—14.

So said motion was decided in the negative.

Mr. Payne, from the joint committee on enrolled bills reported that said committee had compared the enrolled with the engrossed bills, entitled as follows:

An act to authorize the expenditure of the 3 per cent. fund, heretofore appropriated for the county of Adams;

An act to locate a state road from Centreville, in Wayne county, to a certain point in Henry county;

An act to appropriate part of the three per cent. fund in the county of Morgan;

An act to establish a state road from Frankford to a point on the Michigan road and for other purposes;

An act to legalize the appraisement and sale of a part of the S. E. qr. of sec. 16, town 12, N. of range 6, E. in Shelby county;

An act to establish a state road from Bloomington, in Monroe county, by the way of Bale's ferry, to Leesville in Lawrence county;

A memorial to the Congress of the United States on the subject of relinquished lands;

An act for the relief of Thomas Pogue and others;

And find the same truly enrolled:

Whereupon,

The Speaker signed said bills and memorial.

*Ordered*, That the clerk carry the same to the Senate for the signature of their President.

On motion of Mr. Steele,

*Ordered*, That Mr. Reid have leave of absence from the service of the House from and after to-morrow morning.

A message from the Senate by Mr. Morris their assistant secretary:

MR. SPEAKER:

The Senate has passed an engrossed bill of the House entitled an act to provide for the sale of certain lands therein named, with amendments; also,

An engrossed bill of the House of Representatives entitled an act to amend an act entitled an act relative to county seminaries, without amendment.

In the amendments of the 1st named bill the concurrence of the House of Representatives is requested.

The amendments made by the Senate to the bill first named in said message, were severally read and agreed to by House.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate insist on their disagreement to the 2d amendment proposed by the House, to the bill of the Senate, supplemental to an act to provide for the erection of a State House.

On motion of Mr. Lane,

The House adhered to their 2d amendment to the bill named in said message.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Culley from the committee on claims to which was committed the engrossed bill relative the to Secretary and Treasurer of State and for other purposes, reported the same without amendment.

Said bill was then read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Bryant, from the joint committee on enrolled bills reported, that they did, on this day, present to the Governor for his approval and signature,

An act to change the time for holding the circuit courts in the 1st, 2d, 4th, 5th, and 6th judicial circuits.

A message from the Governor, by Mr. Maguire, his private Secretary:

MR. SPEAKER,

I am instructed to inform the House of Representatives, that His Excellency, the Governor, has approved and signed acts of the following titles, viz:

An act to amend an act entitled an act to incorporate the town of Terre-Haute, approved January 26, 1832;

An act for the location of a State road;

An act to amend an act entitled an act to incorporate the town of Madison, approved February 6th, 1831;

An act to authorize Joseph Morgan, former collector of Pike, yet to collect any taxes remaining due and unpaid in said county, for the year or years for which said Morgan was collector;

An act to relocate part of the Terre-Haute State road;

An act concerning a school section in Tippecanoe county;

An act to amend an act entitled an act for the location and opening a State road from Logansport, via Turkey creek and Elkhart prairie, to the northern line of the State in the direction of Pigeon prairie, in the Michigan Territory, approved December 29, 1830;

An act relative to a certain state road in Rush county;

An act for the relief of the heirs of Arthur Major;

An act to establish a State road from Mount Pleasant in Martin county, to Springville, in Lawrence county;

An act authorizing a change in a part of the Munceytown and Logansport State road;

An act to incorporate the county Seminary of Posey and for other purposes;

An act to locate the Alquina State road;

An act supplemental to an act entitled an act to amend the act entitled an act to establish a State road from William Connelly's in Lawrence county to Greencastle in Putnam county, approved Feb. 3, 1832;

An act to relocate part of the State road leading from Martinsville in Morgan county to Danville in Hendricks county;

An act to amend the act entitled an act for opening and repairing public roads and highways, approved February 10, 1831;

An act to establish a State road from Fairfield in Franklin county to West Union in Fayette county;

An act providing for the location of a State road from Delphi in Carroll county, to Crawfordsville in Montgomery county;

An act to locate a state road from Delphi to Munceytown;

An act to alter a part of the Mooresville and Crawfordsville State road lying between Mooresville and Danville;

An act to permit Jacob Studybaker and Thomas Thomas to keep their mills in operation on the Elkhart river;

An act to locate a State road from James Marrs', in Bartholomew county, to Joab Woodruff's, in Johnson county;

An act to incorporate a board of trustees for the promotion of schools and education in Clark's Grant;

All of which originated in the House of Representatives.

A message from the Senate by Mr. Hanna, one of their members:

MR. SPEAKER,

The Senate concur in their amendments made by the House, to the engrossed bill of the Senate entitled an act to establish the St. Joseph Orphan Asylum.

A message from the Senate by Mr. Morris their Assistant Secretary:

MR. SPEAKER,

The Senate insist on their 3d amendment to the engrossed bill of the House to provide for the sale of certain lands therein named.

The Senate have passed an engrossed bill of the House to incorporate the Harrison and Indianapolis turnpike company, with an amendment, in which the concurrence of the House of Representatives is requested.

The House receded from their disagreement to the 3d amendment made by the Senate to the bill of the House, first named in said message, and concur in the amendment of the Senate to the last named bill.

*Ordered,* That the clerk inform the Senate thereof.

And then the House adjourned until to-morrow morning at 9 o'clock.

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SATURDAY, FEBRUARY 2d, 1833.

The House met pursuant to adjournment,

On motion of Mr. Steele,

*Ordered,* That Mr. Peyton have leave of absence from the service of the House for and during the remainder of the session.



The Speaker laid before the House the following communication, covering a letter from the Executive of South Carolina, and sundry resolutions relative to a call of a Convention of the States, to-wit:

EX. DEPARTMENT, }  
*Indianapolis, Feb. 1st, 1833.* }

SIR:—I lay before the House of Representatives a joint resolution from the legislature of South Carolina, calling for a Convention of the States, to determine such questions of disputed powers as have arisen between some of the States of the Confederacy and the General Government.

N. NOBLE.

*The Hon. John W. Davis,*

*Speaker of the H. of Rep.*

Which were read and laid on the table.

A message from the Senate by Mr. Morris their assistant secretary:

MR. SPEAKER,

The Senate insist on the 1st and 2d amendment made by them to the engrossed bill of the House, to amend an act entitled an act regulating the interest of money in the state, approved Feb. 1st, 1831, and disagree to the amendment proposed by the House to the 3d amendments of the Senate to said bill.

Mr. Lane moved that the House recede from their 1st amendment to said bill;

Which motion did not prevail.

The House then insisted on their disagreement to the two first amendments made by the Senate to said bill, and in their amendment to the 3d amendment of the Senate thereto.

On motion of Mr. Crume,

A committee of free conference, on part of the House to act with a similar committee to be appointed on the part of the Senate to take into consideration the disagreeing votes between the two Houses, on the amendment named in said message;

Whereupon,

Messrs. Crume and Rariden were appointed said committee.

A message from the Senate by Mr. Morris, their assistant secretary:

**MR. SPEAKER,**

The Senate recede from their disagreement to the 2d amendment of the House to the engrossed bill of the Senate, entitled "an act supplemental to an act to provide for the erection of a State House."

The Senate has passed the following engrossed bills of the House entitled acts, as follows, to wit:

An act to locate a state road therein named;

An act to encourage the apprehension of horse thieves;

An act to establish a state road from Shelbyville, in Shelby county, by the way of Goshen and Newbern, in Bartholomew county, to intersect the Indianapolis and Madison state road near Klapp's mill, in Jennings county; and

An engrossed joint resolution concerning the state library;

An act concerning legal process;

An act for the relief Mary Ann Hamilton, without amendment.

The Senate concur in the amendment proposed by the House, to the amendment of the Senate, to the joint resolution of the House, relative to procuring tract books and maps of the purchase of 1828.

The Senate disagree to the amendments proposed by the House to the bill of the Senate to reduce the salary of the Agent of three per cent. fund.

The Senate has passed the following bills which originated in the Senate, to wit:

An act for the incorporation of the Western Union seminary; and

An act supplemental to an act to establish a College in the State of Indiana,

In which bills of the Senate the concurrence of the House of Representatives is requested.

The Senate has also passed a bill of the House entitled 'an act to amend an act entitled an act to organize and regulate the militia of the State of Indiana,' approved February 10, 1831,

Without amendment.

The House insisted on their several amendments proposed to the bill first named in said message.

The engrossed bill of the Senate, last named in said message, was twice read (the rules of the House being first dispensed with) when,

Mr. Proffit moved to strike out the 7th section of said bill—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bonner, Boyl, Bryant, Carter of O., Claypool, Cravens, Crawford, Crume, Davenport, Dunn, Ferguson of C., Finch, Goodbar, Hargrove, Howell, Levenworth, Lowe, Proffit, Ribble, Roop, Smith, Vawter and Watt—23.

*And those who voted in the negative, are*

Messrs. Bradbury, Carter of M. & C., Clark, Cox, Cristler, Culley, Daniel, Davis of Sh'y., Edwards, Ferguson of U., Fowler, Hanna, Henley, Heustis, Huntington, Lewis, Mastin, M'Junkin, Moore, Osborn, Palmer, Parks, Payne, Pruett, Rariden, Sands, Schoonover, Shortridge, Skeen, Slaughter, Stanford, Steele, Wallace, Wooden, Woodruff and Davis, Speaker—37.

So said motion was decided in the negative.

On motion of Crume,

The preamble of said bill was stricken out.

Mr. Crume moved to postpone the further consideration of said bill indefinitely—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Boyd, Carter of O., Crawford, Cristler, Crume, Davenport, English, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Howell, Lowe, Parks, Pruett, Skeen and Woodruff—20.

*And those who voted in the negative are,*

Messrs. Bradbury, Bryant, Buell, Clark, Cox, Cravens, Culley, Dunn, Edwards, Hargrove, Henley, Heustis, Huntington, Levenworth, Lewis, M'Junkin, M'Nary, Moore, Osborn, Palmer, Payne, Rariden, Ribble, Sands, Schoonover, Shortridge, Slaughter, Smith, Steele, Vawter and Wallace—31.

So said motion was decided in the negative.

Said bill was then read a third time and passed.

*Ordered,* That the clerk inform the Senate thereof and ask their concurrence in the amendment of the House.

The engrossed bill of the Senate secondly named in said message,

Was twice read, (the rules of the House having been suspended,) and

On motion of Mr. Vawter,  
Postponed until the second Monday in December next.

A message from the Governor by Mr. Maguire his private secretary:

MR. SPEAKER:

I am instructed by His Excellency the Governor, to inform the House of Representatives that acts entitled as follows, which originated in this House, have received his approbation and signature, viz:

An act changing the time for holding the Circuit Courts in the first, second, fourth, fifth and sixth Judicial Circuits, and

An act to establish a State road from Fairplay, in Green county, to intersect the Vincennes state road at or near Benjamin Stafford's in said county.

Mr. Bryant, from the joint committee of enrolled bills, reported, that they did, on this day, present to the Governor, for his approval and signature, bills of the following titles, to wit:

An act incorporating Congressional Townships and providing for public schools therein;

An act to locate a state road from Centreville, in Wayne county to a certain point in Henry county;

An act to appropriate a part of the three per cent. fund in the county of Morgan;

An act to authorize the expenditure of the three per cent. fund heretofore appropriated for the county of Adams;

An act to establish a State road from Frankfort to a point on the Michigan road, and for other purposes;

An act to legalize the appraisement and sale of a part of the S. E. quarter of section 16, Town. 12, of Range six East, in Shelby county;

An act to establish a State road from Bloomington in Monroe county, by the way of Bales' ferry, to Leesville in Lawrence county;

An act to provide for the election of a justice of the peace in the town of St. Omer,

An act to locate a state road from from Andersontown, in Madison county, to Logansport, in Cass county;

An act to quiet certain titles in Mount Vernon, and for the benefit of Thomas Givens;

A preamble and joint resolution in relation to horses lost by the volunteer militia of Indiana;

A memorial of the General Assembly of the State of Indiana to the Congress of the United States, on the subject of unproductive sixteenth sections;



A memorial to the Congress of the United States on the subject of relinquished lands;

A bill to locate a State road from Lagrange, in Tippecanoe county to the State road leading from Williamsport, in Warren county, to Chicago, in the State of Illinois;

An act to establish a State road from Orleans in Orange county via Livonia in Washington county, to intersect the state road leading from New Albany to Vincennes in the direction of Greenville, in Floyd county;

An act to authorize and require the seminary trustees of the county of Scott, and the treasurer of the library of said county, to loan certain monies within their control;

An act to relocate part of the Mauk's Ferry state road;

An act to establish a state road from Madison, in Jefferson county, to Paoli in Orange county;

An act to incorporate the Liberty school society;

An act to locate a state road from New Castle, in Henry county, to Murceytown, in Delaware county;

An act for the relief of Thomas Pogue, and others;

An act supplemental to the act entitled an act to establish a state road from the county seat of Grant, to the county seat of Elkhart, approved Jan. 24, 1832;

An act to relocate a part of the Martinsville, Danville and Frankfort state road, and for other purposes;

An act to locate and establish a state road from the Fort Wayne road near Stephen Stutsman's, by way of the mouth of Elkhart river, to the state line in the direction of Edwardsburgh in Michigan Territory;

An act providing for the construction of a bridge over Mill creek in Owen county;

An act to relocate so much of the Knightstown state road as lies between Peadleton, in Madison county and Strawtown, in Hamilton county;

An act to establish a state road from Salisbury, in Harrison county, to Providence in Clark county, by the way of Greenville in Floyd county.

Mr. Payne from the joint committee on enrolled bills, reported that said committee had compared the enrolled with the engrossed bills, entitled as follows:

An act to provide for the sale of certain lands therein named;

An act to amend the act entitled an act for opening public roads and highways, approved Feb. 10, 1831, and for other purposes;

An act supplemental to an act authorizing the location of a state road from Lafayette to Lake Michigan;

A joint resolution of the General Assembly for the benefit of state debtors;

An act supplemental to an act, entitled an act to authorize the building of bridges across Lick creek and Salt creek, approved Jan. 29, 1830;

An act to amend an act, entitled an act relating to county seminaries;

A joint resolution authorizing the suspension of a suit against Julius Johnson and others;

An act to legalize the proceedings of the seminary trustees of Union county;

An act to vacate a certain state road therein named;

An act to locate a state road from Frenchtown, in Warren county, to Lusk's mill, in Parke county;

An act to incorporate the South Bend bridge company.

And find the same truly enrolled;

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. English, after having obtained leave, presented a bill to establish a state road from Lexington in Scott county to Charlestown in Clark county and for other purposes;

Which was twice read (the rules of the House having first been dispensed with.) when

Mr. Henley moved to amend the same by adding thereto the following proviso:

"Provided, That such road shall not be opened until after the session of the General Assembly;"

Which motion was decided in the negative.

Mr. Moore moved to amend said bill, by adding to the first section the following: and from Charlestown to New-Albany, by the way of Puttorff's mill in Clark county;

Which motion passed in the affirmative.

On motion of Mr. Moore,

Said bill was further amended, by inserting the name of "A. Littel of Floyd county," as an additional commissioner.

Mr. Henley moved to lay said bill on the table;

Which motion was decided in the negative.

On motion of Mr. Daniel,

Said bill was considered as engrossed and read a third time.

And on the question, shall said bill pass?

The ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Bryant, Buell, Carter of O., Clark, Claypool, Cox, Cravens, Crawford, Crume, Culley, Daniel, Davenport, Dunn, English, Ferguson of U., Fowler, Goodbar, Hanna, Hargrove, Heustis, Howell, Huntington, Levenworth, M'Junkin, M'Nary, Moore, Parks, Payne, Proffit, Ribble, Schoonover, Shortridge, Slaughter, Smith, Stanford, Steele, Vawter and Wallace—39.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Davis, Ferguson of Clark, Henley, Lewis, Lowe, Osborn, Palmer, Pruett, Skeen, Woodruff and Davis, Speaker—13.

So said bill passed.

*Ordered*, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence.

Mr. Moore made the following report:

The select committee to which was referred the petition of sundry citizens of part of Harrison county, praying to be attached to the county of Floyd, and also the remonstrance of sundry citizens of Harrison county against the same, have had that subject under consideration, and a majority of the committee are of opinion that the prayer of the petitioner is a reasonable one and ought to be granted; the county of Harrison having a surplus of upwards of fifty square miles over and above her constitutional limit of four hundred square miles, and it being the wish of a portion of the citizens of Harrison so to be attached; while the county of Floyd has in all only about one hundred and sixty five square miles of territory. But inasmuch as reference is made by the petitioners to the petition of last winter, made to the legislature by them for the same object, and as that petition and the remonstrance then made, are mislaid and cannot be found, and there not being sufficient time, owing to the advanced state of the session to supply its loss, the committee have thought it advisable to suggest the postponement of this subject until next winter; and therefore pray to be discharged.

Which was read and concurred in.

A message from the Senate by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed the bill of the House making general appropriations for the year 1833, and

The House's bill to amend an act for the relief of purchasers of lots in the town of Indianapolis, which have become forfeited to the state, without amendment.

The Senate has passed a bill of the Senate, entitled an act to amend the act entitled an act concerning the Auditor of Public Accounts and the Treasurer of State, approved Jan. 7th, 1831;

In which the concurrence of the House of Representatives is requested.

The bill of the Senate named in said message was twice read, and

On motion of Mr. Stanford,  
Indefinitely postponed.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

Mr. SPEAKER:

The Senate recede from their disagreement to the 1st and 2d amendments proposed by the House, to the engrossed bill of the Senate, to reduce the salary of the agent of the 3 per cent. fund, but insist on their disagreement to the House's 3d amendment and have appointed Messrs. Graham and Robb, a committee of free conference, on the part of the Senate, to take into consideration with a similar committee, to be appointed by the House, the disagreeing votes of the Houses on the subject of said amendments.

They continue to insist on their 1st and 2d amendments to the engrossed bill of the House, to amend an act entitled an act regulating the interest of money in the state of Indiana, approved Feb. 1, 1831; and upon their disagreement to the amendment of the House to the 3d amendment made by the Senate to said bill. and have appointed Messrs. Pennington and Farrington a committee of free conference, to take into consideration with the committee of the House the disagreeing votes of the two Houses on the subject of said amendments.

Mr. Payne moved that the House recede from their 3d amendment to the bill of the Senate first named in said message—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bonner, Claypool, Cox, Cravens, Cristler, Crum.



Davis of Sh'y., Dunn, English, Ferguson of C., Finch, Fowler, Goodbar, Heustis, Huntington, Livingston, M'Junkin, Parks, Pruett, Sands, Shoonover, Slaughter, Stanford, Steele, Woodruff and Davis, Speaker—26.

*And those who voted in the negative are,*

Messrs. Bradbury, Bryant, Carter of M. & C., Carter of O., Clark, Crawford, Culley, Hanna, Hargrove, Hendley, Levenworth, Lewis, Mastin, Moore, Osborn, Palmer, Proffit, Ribble, Shortridge, Skeen, Smith, Vawter and Watt—23.

So the House receded from the said 3d amendment.

*Ordered,* That the Clerk inform the Senate thereof.

Mr. Crume made the following report:

The committee of free conference appointed on the part of this House to take into consideration the disagreeing votes of the two Houses, on a bill entitled an act to amend an act entitled an act to regulate the interest of money, in the state of Indiana, approved Feb. 1st. 1831, have had the matter of difference under consideration, and are unable to come to any agreement on that subject, and ask to be discharged from the further consideration of the same;

Which was read and the committee were discharged.

Mr. Dunn moved that a second committee of free conference be appointed on the above subject;

Which motion did not prevail.

Mr. Payne moved that the House recede from their disagreement to the 1st amendment of said bill—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bradbury, Claypool, Cristler, Culley, Daniel, English, Ferguson of U., Finch, Fowler, Goodbar, Hargrove, Howell, Huntington, Levenworth, Lowe, Mastin, M'Junkin, M'Nary, Osborn, Parks, Payne, Pruett, Schoonover, Shortridge, Smith, Stanford, Wallace, Woodruff and Davis, Speaker—31.

*And those who voted in the negative are,*

Messrs. Bonner, Boyd, Bryant, Carter of O., Clark, Cox, Cravens, Davenport, Davis of Sh'y., Dunn, Ferguson of C. Hanna,

Hargrove, Heustis, Lewis, Livingston, Moore, Palmer, Proffit, Ribble, Skeen, Slaughter, Vawter and Wallace—26.

So the House receded from their disagreement.

The House then receded from their disagreement to the 2d amendment of the Senate and from their amendment to the 3d amendment of the Senate to said bill.

*Ordered*, That the Clerk inform the Senate thereof.

And then the House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Steele,

*Resolved*, That this House will (the Senate concurring therein) adjourn *sine die* on this evening.

*Ordered*, That the clerk inform the Senate thereof.

On motion of Mr. Howell,

The vote heretofore taken on the adoption of the resolution, moved by Mr. Moore, relative to the certificate by the Speaker, of the accounts of members of the House, was reconsidered; and

On motion of Mr. Moore,

Said resolution was laid on the table.

A message from the Senate, by Mr. Morris their assistant secretary:

MR. SPEAKER,

The Senate has passed an engrossed bill of the House making specific appropriations for the year 1833, with amendments, in which the concurrence of the House of Representatives is requested.

The House disagreed to the first of the above named amendments, and agreed to the 13th, 18th, 19th and 20th of said amendments, with an amendment to each; to the others generally.

*Ordered*, That the clerk inform the Senate thereof, and ask their concurrence in the amendments of the House to the above named amendments of the Senate.

Also, the following message from the Senate, by Mr. Morris their assistant secretary:

MR. SPEAKER,

The Senate have adopted the following resolution:

*Resolved*, The House of Representatives concurring therein, that the Senate will adjourn *sine die*, on Monday morning the 4th instant.

Mr. Bryant from the joint committee of enrolled bills reported, that they did, on this day, present to the Governor for his approval and signature—

An act to incorporate a company to build a bridge across the St. Joseph river, at South Bend;

An act to locate a state road from Frenchtown, in Warren county, to Lusk's mills, in Parke county; &

An act supplemental to an act authorizing the location of a State road from Lafayette to Lake Michigan;

An act supplemental to an act entitled an act to authorize the building a bridge across Lick creek and Salt creek, approved January 29, 1830;

An act to legalize the proceedings of the seminary trustees of Union county;

An act to vacate a certain state road therein named;

An act to provide for the sale of certain lands therein named;

An act to amend the act entitled an act for opening public roads and highways, approved February 10th, 1831, and for other purposes;

An act to amend an act entitled an act relating to county seminaries;

A joint resolution of the General Assembly for the benefit of state debtors;

A joint resolution authorizing the suspension of a suit vs. Julius Johnson and others.

Mr. Payne, from the joint committee on enrolled bills report, that they had compared the enrolled with the engrossed bills entitled as follow, to-wit:

A joint resolution concerning the state library;

An act concerning legal process;

An act for the relief of Mary Ann Hamilton;

An act to encourage the apprehension of horse thieves;

A joint resolution of the General Assembly, relative to procuring tract books and maps of the purchase of 1828;

An act to amend the act, entitled an act to organize and regulate the militia of the state of Indiana, approved Feb. 10, 1831;

An act to locate a state road therein named;

An act to establish a levee from the town of Vincennes, thro' the lower prairie, near the Wabash river, to the Grand Coulee;

An act for the relief of Mary Lane, widow of Daniel C. Lane, late treasurer of state;

An act to establish the St. Joseph orphan assylum;

An act in relation to the Secretary and Treasurer of State and for other purposes;

An act to provide an executive officer for the supreme court;

An act to amend an act, entitled an act regulating the interest of money in the state of Indiana, approved Feb. 1, 1831;

An act to amend the act, entitled an act for the relief of purchasers of lots in the town of Indianapolis, which have become forfeited to the state, approved Jan. 21, 1828;

An act making general appropriations for the year 1833;

An act to establish a state road from Shelbyville, in Shelby county, by the way of Goshen and Newbern, in Bartholomew county, to intersect the Indianapolis and Madison state road, near Klapp's mill, in Jennings county.

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills, &c.

Ordered, That the Clerk carry them to the Senate for the signature of their President.

The following message, from the Governor, by Mr. Maguire, his private secretary:

MR. SPEAKER:

The Governor has approved and signed acts, which originated in the House of Representatives, entitled as follows, viz:

An act to locate a state road from Lagrange, in Tippecanoe county, to the state road leading from Williamsport, in Warren county, to Chicago, in the state of Illinois;

An act to establish a state road from Madison, in Jefferson county, to Paoli, in Orange county;

An act to appropriate part of the three per cent. fund in the county of Morgan.

An act to authorize the expenditure of the three per cent. fund heretofore appropriated for the county of Adams;

An act to locate a state road from Centreville, in Wayne county, to a certain point in Henry county;

An act to establish a state road from Frankfort, to a point on the Michigan road, and for other purposes;

An act to establish a state road from Salisbury, in Harrison county, to Providence, in Clark county, via Greenville, in Floyd county;

An act to provide for the election of a justice of the peace, in the town of St. Omer;

An act to vacate the town called Duncantown, in Sullivan county;



An act amendatory of an act to incorporate the town of Lawrenceburgh;

An act to locate and establish a state road from the Fort Wayne road, near Stephen Stutsman's by the way of the mouth of Elkhart river, to the state line, in the direction of Edwardsburgh, in Michigan territory;

An act to re-locate part of the Martinsville, Danville and Frankfort state road, and for other purposes;

An act to incorporate the liberty school society;

An act to authorize and require the seminary trustee of the county of Scott, and the treasurer of the library of said county, to loan certain monies within their control;

An act to quiet certain titles in Mount Vernon, and for the benefit of Thos. Givens;

An act to re-locate so much of the Knightstown state road as lies between Pendleton, in Madison county and Strawtown, in Hamilton county;

An act for the construction of a bridge over Mill creek, in Owen county;

An act to re-locate a part of the Mauk's ferry state road;

An act to locate a state road from New Castle, in Henry county, to Muncey town, in Delaware county;

An act to locate a state road from Andersonstown, in Madison county, to Logansport, in Cass county;

An act to locate and establish a state road from Orleans, in Orange county, via Livonia, in Washington county, to intersect the state road, leading from New Albany to Vincennes, in the direction of Greenville, in Floyd county;

And also, a preamble and joint resolution in relation to horses lost by rangers and volunteer militia of Indiana.

Mr. Wallace moved to reconsider the vote taken on the indefinite postponement of the engrossed bill from the Senate to amend the act entitled "an act concerning the auditor of public accounts and the treasurer of state, approved January 7, 1831—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Bonner, Boyd, Bradbury, Buell, Carter of M. & C., Clark, Claypool, Craves, Crawford, Davenport, Dunn, Edwards, Ferguson of U., Hanna, Howell, Lewis, Lowe, M<sup>r</sup>. Junkin, Payne, Pruett, Shortridge, Slaughter, Steele and Wallace—25.

*And those who voted in the negative, are*

Messrs. Bryant, Carter of O., Cox, Cristler, Crume, Culley,

Davis of Sh'y, English, Finch, Fowler, Goodbar, Hargrove, Heustis, Lane, Levenworth, Livingston, Mastin, Moore, Osborn, Parks, Ribble, Roop, Sands, Skeen, Smith, Stanford, Vawter and Watt—28.

So said motion was decided in the negative.

Mr. Payne from the joint committee on enrolled bills reported, that said committee had compared the engrossed with the enrolled bills, entitled as follows:

An act to incorporate the Western Union Seminary;

An act supplemental to an act to provide for the erection of a State House;

An act to reduce the salary of the Agent of the three per cent. fund;

An act for the encouragement of education;

A joint resolution authorizing the Secretary of State to purchase a complete set of Niles' Register for the use of the State Library:

And find the same truly enrolled.

Whereupon.

The Speaker signed said bills and joint resolution.

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

On motion of Mr. Hargrove,

*Resolved*, That the Senate be informed that the House of Representatives reciprocate the resolution of the Senate to adjourn *sine die*, on Monday morning next.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

Mr. SPEAKER:

The Senate concur in the 2d, 4th and 5th amendments of the House to the bill of the Senate entitled an act to amend an act regulating the practice in suits at law, approved January 29, 1831, and in the 1st, 3d, 6th and 7th of said amendments, with amendments, and in the 8th and 9th, with amendments—in which amendments to the amendments of the House the concurrence of the House is requested.

The Senate have passed a joint resolution of the General Assembly to secure a safe circulating medium to the people of the United States; in which joint resolution the concurrence of the House of Representatives is requested.

The several amendments proposed by the Senate to the amend-

ments of the House, to the bill of the Senate named in said message, were read and agreed to.

*Ordered*, That the clerk inform the Senate thereof.

The joint resolution of the Senate, named in said message, was twice read (the rules of the House having first been dispensed with) when

Mr. Sands moved that the further consideration thereof be indefinitely postponed—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Bell, Boyd, Clark, Cox, Crawford, Cristler, Crume, Culley, Daniel, Davis of Sh'y, Dunn, English, Ferguson of C., Ferguson of U., Finch, Fowler, Goodbar, Hargrove, Henley, Henstis, Howell, Huntington, Livingston, Lowe, Mastin, M'Nary, Osborn, Palmer, Parks, Payne, Ribble, Sands, Schoonover, Slaughter, Vawter, Wallace, Watt, Woodruff and Davis, Speaker—39.

*And those who voted in the negative, are*

Messrs. Bonner, Bradbury, Buell, Carter of M. & C., Claypool, Cravens, Davenport, Edwards, Hanna, Levenworth, Lewis, M'Junkin, Moore, Profit, Rariden, Roop, Shortridge, Skeen, Smith, Stanford and Steele—21.

So said joint resolution was indefinitely postponed.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed an engrossed bill of the Senate entitled an act to amend an act entitled an act regulating distress for rent, in which bill the concurrence of the House of Representatives is requested.

The bill of the Senate above named was read the first time; and  
On motion of Mr. Bell, rejected.

Mr. Bryant from the joint committee of enrolled bills, reported, that they did, on this day, present to the Governor, for his approval and signature, bills of the following titles, viz:

An act to amend the act, entitled an act for the relief of purchasers of lots in the town of Indianapolis, which have become forfeited to the state, approved Jan. 21, 1823;

- An act making general appropriations for the year 1833;
- An act to amend an act, entitled an act regulating the interest of money in the state of Indiana, approved Feb. 1, 1831;
- An act in relation to the Secretary and Treasurer of State, and for other purposes;
- An act to provide an executive officer of the supreme court;
- An act for the encouragement of education;
- An act for the incorporation of the Western Union seminary;
- An act supplemental to an act to provide for the erection of a state house;

And joint resolutions as follows:

- A joint resolution authorizing the secretary of state, to purchase a complete set of Niles' Register, for the use of the state library;
- A joint resolution of the General Assembly, relative to procuring tract books and maps of the purchase of 1828;
- A joint resolution concerning the state library;
- An act to encourage the apprehension of horse thieves;
- An act for the relief of Mary Ann Hamilton;
- An act to amend the act entitled an act to organize the militia of the state of Indiana, approved Feb. 10, 1831;
- An act to locate a state road therein named;
- An act to establish a levee from the town of Vincennes, through the lower prairie near the Wabash river, to the Grand Coulee;
- An act for the relief of Mary Lane, widow of Daniel C. Lane, late treasurer of state;
- An act to establish the St. Joseph orphan asylum;
- An act to reduce the salary of the agent of the three per cent. fund.

A message from the Senate by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate insist on their 1st amendment to the engrossed bill of the House, making specific appropriations for the year 1833.

They concur in all the amendments of the House, to the amendments of the Senate, with an amendment, in which the concurrence of the House of Representatives is requested.

On motion of Mr. Crume,

The House insisted on their disagreement to the 1st amendment of the Senate to the above named bill, and

*Ordered*, That a committee of free conference be appointed on the part of the House, to take into consideration, with a similar



committee, to be appointed by the Senate, the disagreeing vote of the two Houses, on the subject of that amendment.

Whereupon,

Messrs. Crume and Carter of O., were appointed that committee, on the part of the House.

To the amendment proposed by the Senate, to the amendments of the House, to the amendments of the Senate to said bill, the House disagreed.

*Ordered*, That the clerk inform the Senate thereof.

Also the following message was received from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed the following engrossed bills of the House, entitled acts, as follows, to wit:

An act for the relief of Zachariah Ferguson, Stanhope Royster, and John Perin;

An act for the relief of James M'Farland, and

An act to establish a state road from Lexington, in Scott county, to Charlestown, in Clark county, and for other purposes;

The first without, and the two latter with amendments to each, in which the concurrence of the House of Representatives is requested.

The amendments of the Senate to the two last above named bills of the House, were read and agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Palmer moved to re-consider the vote taken this day, on the rejection of the engrossed bill from the Senate, to amend an act, entitled an act regulating distress for rent;

Which motion was decided in the negative.

On motion of Mr. Dunn,

*Ordered*, That Mr. Bryant have leave of absence from the service of the House, for and during the remainder of the present session.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate has passed an engrossed bill of the House, entitled an act to amend the act appointing county surveyors and their deputies, approved Feb. 4, 1831, with amendments.

They have also passed a bill of the Senate, entitled an act authorizing the Vigo circuit court, to change the venue in a certain case therein named.

In which, and the amendments to the bill of the House, the concurrence of the House of Representatives is requested.

The several amendments made by the Senate, to the bill of the House, named in said message, were read and agreed to.

The bill of the Senate therein named, was read twice, and

On motion of Mr. Huntington,

Amended, by striking out the proviso, in the first section, and inserting, in lieu thereof, the following:

“Provided that application be personally made by said George W. Dewees, to the circuit court of Vigo county, at the next term thereof, for said change, and not otherwise.”

The amendment was then considered as engrossed, the bill read the third time and passed.

*Ordered.* That the clerk inform the Senate thereof, and ask their concurrence in said amendment of the House.

And then the House adjourned until 6 o'clock P. M.

*6 o'clock, P. M.*

The House met pursuant to adjournment.

A message from the Senate by Mr. Morris, their Assistant Secretary:

MR. SPEAKER:

The Senate has passed the following bill of the House entitled an act to amend the existing laws providing for the election of Representatives in Congress, without amendment.

Also the following message by the same gentleman:

MR. SPEAKER:

The Senate continue to insist on their 1st and 2d amendments to the engrossed bill of the House, making specific appropriations for the year 1833, and have appointed Messrs. Blair and Feeny a committee of free conference, on the part of the Senate to take into consideration, with the committee of the House, the disagreeing vote of the two Houses on the subject of said amendment. They also insist on their amendment to the amendments of the House, to the amendments of the Senate, to said bill, and

have appointed, Messrs. Graham and Blair a committee of free conference on the part of the Senate, to take into consideration with a similar committee to be appointed by the House, the disagreeing votes of the two Houses on the subject of said amendment.

They have passed a bill of the House entitled an act, to-wit: An act for the relief of Ann M. Smith, without amendment. Also bills of the Senate entitled as follows, to-wit:

An act to amend an act regulating marriages, approved Feb. 4th, 1831;

An act amend an act entitled "an act relative to foreign attachments," approved Jan. 30, 1831;

In which bills of the Senate, the concurrence of the House of Representatives is requested.

The House continue to insist on their disagreement to the amendment proposed by the Senate to the amendments made by the House to the amendments of the Senate to the bill of the House first named in said message.

*Ordered*, That Messrs. Vawter and Henley be appointed a committee of free conference on the part of the House to consider with said committee of the Senate, the disagreement of the two Houses on that amendment, and that the clerk inform the Senate thereof.

The engrossed bill of the Senate first named in said message, was read the first time, and

On motion of Mr. Howell,

The same was rejected.

The bill of the Senate last named in the message, was read the first time; and

On motion of Mr. Bell, rejected.

Whereupon,

On motion of Mr. Lewis,

That vote was reconsidered, and the question being again put, Shall the bill be rejected?

It was decided in the negative.

The rules of the House then being dispensed with, said bill was read the second and third times and passed.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Morris their Assistant Secretary:

MR. SPEAKER,

The Senate has passed an engrossed bill of the House to a-

mend an act entitled an act to regulate descents, distribution and dower, approved Jan. 29, 1831, with an amendment;

In which the concurrence of the House of Representatives is requested.

And an engrossed bill of the House for the relief of Richard Palmer, without amendment.

The amendment of the Senate to the first above named bill of the House, was read and agreed to.

*Ordered*, That the clerk inform the Senate thereof.

Also the following message was received from the Senate by the same gentleman:

MR. SPEAKER,

The Senate has passed an engrossed bill of the House, entitled an act to amend the act subjecting real and personal estate to execution, approved Feb. 4, 1832, without amendment.

Mr. Vawter made the following report:

The committee of free conference appointed to take into consideration, with a similar committee of the Senate, the disagreeing vote of the two Houses, on the subject of the amendment made by the Senate to the amendments of the House, to the amendments proposed by the Senate to the engrossed bill of the House making specific appropriations for the year 1833, have performed that duty, and not being able to agree with the committee of the Senate, ask to be discharged from the further consideration of the subject.

The above report was read, and the committee were accordingly discharged.

On motion of Mr. Stanford,

The House adhered to their disagreement to said amendment.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Crume made the following report:

The committee of free conference, appointed on the part of this House, to take into consideration the disagreeing votes of the two Houses, on the first amendment made by the Senate to the bill of the House making specific appropriations for the year 1833, met the committee of the Senate and were unable to agree; they therefore ask to be discharged from the further consideration of that subject;

Which report was read; and it was thereupon,

*Ordered*, That said committee be discharged accordingly.

The House adhered to their disagreement to said amendment.

*Ordered*, That the clerk inform the Senate thereof.



*Ordered*, That Messrs. Dunn and Schoonover be added to the committee of enrolled bills.

A message from the Senate by Mr. Morris their assistant secretary:

MR. SPEAKER:

The Senate have discharged their committees of free conference, appointed on the disagreement of the two Houses, on the bill making specific appropriation for 1833, and have refused to recede from their amendments to said bill.

On motion of Mr. Palmer,

The House continued to adhere to their disagreement to the amendments of the Senate to said bill; and

*Ordered*, That a second committee of free conference be appointed, to take into consideration with a similar committee of the Senate, the disagreeing votes of the two Houses on those amendments;

Whereupon,

Messrs. Bell and Stanford were appointed that committee, on the part of the House.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

MR. SPEAKER,

The Senate concur in the amendment proposed by the House to the bill of the Senate to authorize the Vigo Circuit Court, to change the venue in a certain case therein named.

The Senate have passed an engrossed bill of the House of Representatives, providing the mode of opening and repairing public roads and highways in the county of Monroe, without amendment.

They have passed a bill of the Senate to amend the act entitled an act relative to crime and punishment, approved February 10, 1831; in which the concurrence of the House of Representatives is requested.

The bill of the Senate last named in said message, was read the first time; when

Mr. Henley moved to reject the same;

Which motion was decided in the negative.

Said bill was then read the second time (the rules of the House being dispensed with for that purpose) when,

On motion of Mr. Crume,  
The second section thereof was stricken out.

Mr. Hanna moved further to amend the bill, by adding the following to the 4th section, to wit:

"And that the jurisdiction of justices of the peace shall be confined to the bounds of the townships in which they reside, except in cases which originated previous to the passage of this act."

Mr. Bradbury moved to postpone the further consideration of said bill and proposed amendment indefinitely—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative, are*

Messrs. Boyd, Bradbury, Buell, Clark, Cox, English, Ferguson of U., Hanna, Henley, Howell, Lewis, Shortridge, Skeen, Smith, Vawter and Woodruff—16.

*And those who voted in the negative, are*

Messrs. Bell, Crawford, Cristler, Crume, Culley, Davenport, Davis of Sh'y, Dunn, Edwards, Finch, Fowler, Hargrove, Levenworth, Lowe, Mastin, Osborn, Palmer, Payne, Ribble, Roop, Schoonover, Stanford, Steele and Watt—25.

So said motion was decided in the negative.

The question then recurring on the motion of Mr. Hanna to amend the 4th section—

And the ayes and noes being requested thereon by two members,

*Those who voted in the affirmative are,*

Messrs. Bell, Boyd, Cox, Crawford, Davenport, Davis of Sh'y, English, Finch, Fowler, Hanna, Hargrove, Henley, Mastin, M<sup>r</sup>. Nary, Osborn, Parks, Shortridge, Smith, Stanford and Woodruff—20.

*And those who voted in the negative are,*

Messrs. Bradbury, Buell, Clark, Crume, Culley, Dunn, Edwards, Ferguson of U., Howell, Levenworth, Lewis, Livingston, Lowe, Palmer, Payne, Ribble, Roop, Sands, Skeen, Steele, Vawter and Watt—22.

So said motion was decided in the negative.

On motion of Mr. Vawter,

The first section of said bill was amended by striking out "two years," and inserting in lieu thereof "one year," being the shortest time of imprisonment in the State's prison for the offence therein named.

Mr. Vawter moved further to amend said section by striking out "14 years," and inserting in lieu thereof "4 years," being the longest time of confinement in the State's prison, and

Before the question was put thereon, it was,

On motion of Mr. Howell,

*Ordered*, That said bill and proposed amendment do lie on the table.

A message from the Senate by Mr. Morris their assistant secretary:

MR. SPEAKER,

The Senate continue to insist on their amendments to the engrossed bill of the House making specific appropriations for the year 1833, and have appointed Messrs. Orr and Whitcomb a second committee of free conference to take into consideration with a similar committee appointed by the House, the disagreeing votes of the two Houses on said amendments.

Mr. Stanford made the following report:

The committee of free conference to which was referred the disagreement between the two Houses relative to the specific appropriation bill, have had that matter under consideration and have agreed to fix the wages of the Sergeant-at-arms at two dollars per day; and that the Auditor and Treasurer be allowed each 50 dollars per annum in addition to their present salary.

Which was read and concurred in.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Henley moved the following resolution:

*Resolved*, That a committee be appointed on the part of this House to act with a similar committee on the part of the Senate, to wait on His Excellency the Governor, and inform him that both Houses of the General Assembly are now ready to adjourn *sine die*, if he has no further communication to make to them, and that the Senate be informed of the adoption of this resolution, and a similar one on their part requested.

Which was read and laid on the table.

A message from the Senate by Mr. Morris, their assistant secretary:

MR. SPEAKER,

The Senate concur in the report of the committee of free con-

ference appointed on the part of the Senate to take into consideration the disagreeing votes of the two Houses in reference to an amendment proposed by them to the engrossed bill of the House entitled an act making specific appropriations for the year 1833; and on the amendment of the Senate to the amendments of the House to the amendments of the Senate to said bill.

And then the House adjourned until Monday morning at 6 o'clock.

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### MONDAY, FEBRUARY 4th, 1833.

The House met pursuant to adjournment.

Mr. Schoonover from the joint committee on enrolled bills made the following report:

MR. SPEAKER,

The joint committee on enrolled bills have compared the engrossed with the enrolled bills entitled acts as follows, to-wit:

An act to incorporate the Harrison and Indianapolis turnpike company;

An act for the relief of Zachariah Ferguson, Stanhope Royster and John Perin;

An act for the relief of James M'Farland;

An act to establish a certain state road;

An act providing the mode of opening and repairing public roads and highways in the county of Monroe;

An act to amend an act, entitled an act to regulate descents, distribution and dower, approved Jan. 29, 1831;

An act for the relief of Ann M. Smith;

An act to amend the act, entitled an act subjecting real and personal estate to execution, approved, Feb. 4, 1832;

An act to amend the act, entitled an act for the appointment of county surveyors and their deputies, approved Feb. 4, 1831;

An act to amend the existing laws, providing for the election of Representatives in Congress;

An act for the relief of Richard Palmer;

An act making specific appropriations for the year 1833;

And find the same truly enrolled.

Whereupon,

The Speaker signed those bills.

*Ordered.* That the Clerk carry them to the Senate for the signature of their President.



Mr. Schoonover from the joint committee on enrolled bills made the following report:

MR. SPEAKER,

The joint committee on enrolled bills report that they did on this day present to the Governor for his approval and signature the following enrolled bills entitled acts as follows, to-wit:

An act to incorporate the Harrison and Indianapolis turnpike company;

An act for the relief of Zechariah Ferguson, Stanhope Royster and John Perin;

An act for the relief of James M'Farland;

An act providing the mode of opening and repairing public roads and highways in the county of Monroe;

An act to amend an act, entitled an act to regulate descents, distribution and dower, approved Jan. 29, 1831;

An act for the relief of Ann M. Smith;

An act to amend the act, entitled an act subjecting real and personal estate to execution, approved Feb. 4, 1832;

An act to amend the act, entitled an act for the appointment of county surveyors and their deputies, approved Feb. 4, 1831;

An act to amend the existing laws providing for the election of Representatives in Congress;

An act for the relief of Richard Palmer;

An act making specific appropriations for the year 1833.

On motion of Mr. Hargrove,

The resolution offered by Mr. Herley on Saturday last and laid on the table, upon the subject of informing the Governor that both Houses are ready to adjourn, was taken up and adopted.

Ordered, That Messrs. Hargrove and Proffit be a committee in pursuance of said resolution on the part of the House.

Ordered, That the Clerk inform the Senate thereof.

Mr. Davis, of Shelby, asked and obtained leave to withdraw petitions, &c. relative to the Michigan road.

Mr. Shortridge asked and obtained leave to withdraw the papers relative to Lismund Basye.

Mr. Payne from the joint committee on enrolled bills reported, that said committee had compared the engrossed with the enrolled bills, entitled as follows:

An act to amend the act, entitled an act regulating the jurisdiction and duties of justices of the peace, approved February 10, 1831;

An act to amend the act, entitled an act to incorporate the Richmond, Eaton, and Miami rail road company;

An act declaratory of the powers of notary public;

An act supplemental to an act to authorize the agent of state for the town of Indianapolis, to lay off the land belonging to the state into lots and to offer the same for sale, approved February 9, 1831;

An act supplemental to an act for the regulation of the state prison, approved February 10, 1831;

A joint resolution to provide for binding and distributing the acts of Congress deposited in the office of the Secretary of State;

A joint resolution relative to the Indiana college;

An act to amend an act, entitled an act relative to foreign attachments, approved Jan 20, 1831;

An act to authorize the Vigo circuit court to change the venue in a certain case therein named;

An act to amend an act, entitled an act regulating the practice in suits at law, approved Jan 29, 1831;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills and joint resolutions.

*Ordered*, That the clerk carry them to the Senate for the signature of their President.

Mr. Payne from the joint committee of enrolled bills reported, that said committee had presented to the Governor for his approbation and signature acts entitled as follows:

An act to amend the act entitled an act regulating the jurisdiction and duties of justices of the peace, approved February 10th, 1831;

An act to amend the act entitled an act to incorporate the Richmond, Eaton and Miami rail road company;

An act declaratory of the powers of Notary public;

An act supplemental to an act to authorize the Agent of State for the town of Indianapolis to lay off the land belonging to the State into lots and to offer the same for sale, approved February 9, 1831;

An act supplemental to an act for the regulation of the State prison, approved February 10, 1831;

A joint resolution to provide for binding and distributing the acts of Congress, deposited in the office of Secretary of State;

A joint resolution relative to the Indiana College;

An act to amend an act, entitled an act relative to foreign attachments, approved Jan. 20, 1831;

An act to authorize the Vigo circuit court to change the venue in a certain case therein named;

An act to amend an act, entitled an act regulating the practice, in suits at law, approved Jan. 29, 1831.

A message from the Governor, by Mr. Maguire, his private Secretary:

MR. SPEAKER:

I am directed by His Excellency the Governor to notify the House of Representatives that he has approved and signed

- An act to provide for the sale of certain lands therein named;
- An act to incorporate the Harrison and Indianapolis turnpike company;
- An act to amend an act entitled an act for the appointment of county surveyors and their deputies, approved Feb. 4, 1831;
- An act providing the mode of opening and repairing public roads and highways in the county of Monroe;
- An act to establish a certain state road;
- An act for the relief of Zechariah Ferguson, Stanhope Royster and John Perrin;
- An act for the relief of Ann M. Smith;
- An act to amend an act entitled an act to regulate descents, distribution and dower, approved Jan. 29, 1831;
- An act for the relief of Richard Palmer;
- An act to amend the act entitled an act subjecting real and personal estate to execution;
- An act to amend the existing laws providing for the election of Representatives in Congress;
- An act to amend the act, entitled an act to organize and regulate the militia of the state of Indiana, approved Feb. 10, 1831;
- An act to encourage the apprehension of horse thieves;
- An act for the relief of Mary Ann Hamilton;
- An act to amend an act, entitled an act regulating the interest of money in the state of Indiana, approved Feb. 1, 1831;
- An act to establish a state road from Shelbyville, in Shelby county, by the way of Goshen and Newbern, in Bartholomew county, to intersect the Indianapolis and Madison state road near Klapp's mill, in Jennings county;
- An act to amend the act, entitled an act for the relief of purchasers of lots in the town of Indianapolis, which have become forfeited to the state, approved Jan. 21, 1828;
- An act making general appropriations for the year 1833;
- An act to incorporate the South Bend bridge company;
- An act to locate a state road from Frenchtown, in Warren county, to Lusk's mill, in Parke county;
- An act supplemental to an act authorizing the location of a State road from Lafayette to Lake Michigan;
- An act to legalize the proceedings of the seminary trustees of Union county;
- An act to vacate a certain state road therein named;
- An act to locate a state road therein named;

An act to amend the act entitled an act for opening public roads and highways, approved Feb. 10, 1831;

An act concerning legal process;

An act to amend an act entitled an act relating to county seminaries;

An act making specific appropriations for the year 1833;

An act supplemental to an act entitled an act to authorize the building a bridge across Lick creek and Salt creek, approved January 29, 1830;

An act for the relief of James M'Farland;

A joint resolution of the General Assembly for the benefit of state debtors;

A joint resolution authorizing the suspension of a suit vs. Julius Johnson and others;

A joint resolution of the General Assembly relative to procuring tract books and maps of the purchase of 1828;

A joint resolution concerning the state library;

All of which originated in the House of Representatives.

A message from the Senate, by Mr. Morris their assistant secretary:

**MR. SPEAKER,**

The Senate reciprocate the resolution of the House relative to adjourning *sine die*, and have appointed Messrs. Pennington and Graham a committee on their part to act with the committee appointed by the House, to wait on His Excellency the Governor and know of him if he has any further communications to make to this General Assembly.

Mr. Hargrove made the following report:

**MR. SPEAKER:**

The joint committee appointed to wait on His Excellency the Governor, in pursuance of a resolution adopted by the two Houses on that subject, report, that said committee have performed the duties assigned them in said resolution, and have received for answer that he has no further communication to make to the present General Assembly.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

**MR. SPEAKER:**

The Senate have adopted the following resolution:

*Resolved*, That the House of Representatives be informed that the Senate are now ready to adjourn *sine die*.



On motion of Mr. Vawter,

*Resolved*, That the House reciprocate the above resolution of the Senate, and that the clerk inform the Senate thereof.

Mr. Vawter then moved that the House do now adjourn *sine die*, when

The Speaker rose from the chair and addressed the House as follows:

GENTLEMEN:

By a resolution agreed upon by both branches of this General Assembly, you have determined that on this day you would adjourn *sine die*, and by the motion just made by the gentleman from Jennings, (and to which you have assented,) I am admonished that it but remains for me to pronounce that decision from the chair. I will not detain you in this moment of anxiety, to recapitulate the scenes through which we have struggled during the last nine weeks, nor will I discant upon the probable good that may result from your deliberations. But you will indulge me in one reflection and in the expression of one hope. It is with mingled feelings of pleasure and regret that I rise to pronounce this my last official annunciation.

It gives me much pleasure to believe that you will return to your constituents and friends to enjoy their approbation as their faithful Representatives, and that you will receive a hearty welcome as their friend and neighbor. But, gentlemen, I doubt not but that you will carry with you a still higher enjoyment, viz: that gratification which is the result of an approving conscience for having discharged your duty faithfully to your country, the constitution, and the people.

Through the fatigues and difficulties of a protracted session, it has been no small gratification to the chair, that harmony should have so generally prevailed, and that a spirit of candor, liberality and decorum has been practised, seldom equalled and never surpassed by this or perhaps any other deliberative body. And if, through mis-conception or mis-interpretation, any unkind feelings should unhappily have been engendered within these walls, I trust, I ardently hope, that within these walls such feelings will be forever buried.

In casting my eyes over this assembly, recurring as my mind naturally does, to the sphere of action in which we have mutually and harmoniously moved for more than two months, acting as the legislators of and for a free and independent people, I am constrained to thank a super-ruling Providence, that I can address you as the Representatives of one of *these United States*. That Providence alone knows whether, if we should ever convene again in a representative capacity, that it may not be as the delegates

of isolated Indiana, or Western America, or perhaps known by some other sectional distinction to be equally deprecated. Upon this subject I may have a vitiated imagination or a distempered fancy, but to me it would seem that blood once drawn by or between the holy brotherhood of this Union, would irrevocably sever the hallowed bond of our alliance. To such an event I must be permitted to say, *God forbid*; and to this sentiment you have already given your hearty response by an official enactment, thereby evincing your allegiance and devotedness to the Union. But as this theme is foreign to our purpose and carries with it unpleasant reflections, I will not dwell upon it.

To those gentlemen who occasionally have so kindly relieved me from the arduous duties of the chair, I am under many and lasting obligations; and to all of you, gentlemen, am I largely indebted for your indulgence and liberality, always seeking to sustain rather than to except to my feeble efforts as your presiding officer.

Indulging a hope that you may speedily and safely arrive among your neighbors and families to enjoy their caresses and smiles, and that you may obtain from your constituents the happy plaudit of well done good and faithful servant—with this hope fervently expressed, I will detain you no longer, but proceed to consummate my official duties by pronouncing this House adjourned *sine die*.

And then the House adjourned *sine die*.

ALBERT S. WHITE,  
*Clerk of the House of Representatives.*

# APPENDIX [A.]

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## HOUSE OF REPRESENTATIVES,

DECEMBER 17, 1832.

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## REPORT

OF THE

## MICHIGAN ROAD COMMISSIONER.

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The Commissioner elected to carry into effect the provisions of an act entitled, "an act to provide for selling the Michigan Road Lands, to open that part of the Michigan Road between Logansport and Lake Michigan and for other purposes," approved February 2d, 1832,

*Reports,* That on the 7th of March last, having entered into bond as required by the 2d section of the act above recited, he gave public notice, that at suitable places, named in the advertisements, he would, between the 16th of April and the 2d day of May, let to the lowest bidder, at public outcry, in sections of one mile each, the bridging of the streams, grading the banks and hills, and causewaying the swamps on that part of the Michigan Road, between Madison and Logansport, but before this could be done understandingly either to the Commissioner or contractors, it was necessary not only to examine, but to ascertain by actual admeasurement, the width and other descriptions of the swamps and low grounds to be causewayed, the width of streams to be bridged, and the elevation of the banks and hills to be graded on each mile. This was accordingly done, though at considerable expense to the fund, substantial mile posts were set, and a particular description of all the work to be let, as well as the manner of doing it, was made out in writing and deposited at the respective places of sale, at least ten days before the day of sale.

Pursuant to the advertisements, the first sale or letting of the

road was held at Madison for the improvement of sections 1 to 15, at which the construction of 180 feet of puncheon bridging, the causewaying of 2031 rods by ditching and throwing up on one side, (the ditch 2 feet deep, 2 feet wide at bottom and 4 feet wide at top,) and grading 42 banks and hills were sold for \$2,395, including the grading of the Madison hill, averaging \$159 80 per mile.

The second sale was held at Brown's on Big Graham, in Ripley county, for the improvement of sections 16 to 25, at which the construction of 190 feet of puncheon bridging, 1579 rods of causewaying, by ditching on one side, the grading of 36 hills and banks sold for \$906, averaging per mile, \$95 50.

The 3d sale was held at Napoleon for the improvement of sections 26 to 35. At the sale, the construction of 540 feet of puncheon bridging, 466 rods of causewaying, by ditching on one side and the grading of 64 hills and banks, sold for \$606 50, averaging per mile \$60 65.

The 4th sale was held at Greensburgh for the improvement of sections 36 to 50; at this the construction of 140 feet of puncheon bridging, 479 rods of causewaying by ditching on both sides, the removal from the road of 185 rods of old log causewaying, the grading of 19 banks, was sold for \$528, averaging per mile, \$35 86.

The 5th sale was held at French's Inn, in Decatur county, for the improvement of sections 50 to 60, at which the construction of 75 feet of puncheon bridging, 330 rods of causewaying by ditching on both sides, the grading of 11 banks and draining two large ponds was sold for 411 dollars, averaging per mile 41 dollars and 10 cents.

The 6th sale was held at Shelbyville for the improvement of sections 61 to 75: at this the construction of 390 feet of puncheon bridging, 150 feet of frame bridging, the repairing of the bridges over Lewis and Brandywine creeks, the construction of 685 rods of causewaying, by ditching on both sides and 640 rods on one side, the draining of 4 large ponds and grading 2 banks, sold for 934 dollars, averaging per mile 62 dollars and 26 cents.

The 7th sale was held at Doble's Inn, in Shelby county, for the improvement of sections 76 to 86: at this sale the construction of 193 feet of puncheon bridging, 1030 rods of causewaying by ditching on both sides, the draining of 6 large ponds and the grading of 13 banks, sold for 1013 dollars, making an average per mile of 92 dollars and 9 cents.

The 8th sale was held at Indianapolis, for the improvement of sections 87 to 111: at this, the construction of 575 feet of puncheon bridging, 849 rods of causewaying by ditching on both sides and the draining of 2 ponds and grading 29 banks and hills, sold for 1348 dollars and 50 cents, averaging per mile 53 dollars and 94 cents.

The 9th sale was held at Georgetown, in Boon county, for the improvement of sections 112 to 121: at this the construction of 645



feet of puncheon bridging, 613 rods of causewaying by ditching on both sides and 84 rods at an average depth of 4 feet on one side, the draining of 5 ponds and marsh prairies 350 rods and grading 10 banks, sold for 1649 dollars 50 cents, averaging 164 dollars and 95 cents per mile.

The 10th sale was held at Kirk's Inn, in Clinton county, for the improvement of sections 122 to 131: at this sale the construction of 295 feet of puncheon bridging, 100 feet of frame bridging, 230 rods of causewaying by ditching on both sides and draining 1 pond 102 rods, sold for 1532 dollars, averaging per mile 153 dollars and 20 cents.

The 11th sale was held at Michigantown, in Clinton county, for the improvement of sections 132 to 141; at which the construction of 340 feet of puncheon bridging, 180 feet of frame bridging, 469 rods of causewaying by ditching on both sides and 320 rods on one side, the draining of two ponds 160 rods, and the grading of 3 banks, sold for 1854 dollars, averaging per mile 168 dollars 56 cts.

This also includes a separate and subsequent sale for the improvement of the 145th mile for 375 dollars. To explain under that clause of the act, under which he acted, which gives the Commissioner discretionary power to change the location of the road upon banks, where such changes would lessen the expense of grading and not otherwise materially injure the utility of the road, he changed the location of the road on the banks of the north fork of Wild Cat. He did not thereby increase the distance but a few rods, and instead of several short bends as in first location, he has made but two long ones. Instead also of 10 or 12 ravines and high banks, apart from the creek banks, as in the first location of the road, the present location crosses but two. He feels confident that the change is an advantageous one to the road, and will prove a saving to the fund.

The 12th and last sale was held at Logansport, for the improvement of sections 142 to 162, except the 145th mile above referred to. At this sale, the construction of 670 feet of puncheon bridging, 440 feet of frame bridging, 3930 rods of causewaying by ditching on one side, 72 rods of double ditching, on both sides, the draining of 1 pond and the grading of 4 banks, sold for 3456 dollars, averaging per mile 172 dollars and 80 cents.

From the foregoing statements, it will be seen that contracts to the amount of 16,621 dollars and 50 cents, were entered into between the 16th of April and 2d of May, for the improvement of the road between Madison and Logansport, a distance of 162 miles, and that the average cost of these improvements is 102 dollars and 60 cents per mile. As the appropriation for this part of the road, was limited to 25,000 dollars, the Commissioner determined that he would not exceed that amount. Consequently in designating the quantity of work to be done on each mile, it was with the expectation that the whole appropriation would be there.

by expended. But as contracts were taken lower than expected by the Commissioner, there was still left an unexpended balance of the appropriation of 8378 dollars and 50 cents. This sum he determined not less in accordance with his own opinion, than with that of those most deeply interested, in the judicious expenditure of the fund, to expend in bridging some of the principal streams between Indianapolis and Madison. Consequently on the 3d of July, after having advertised the same 6 weeks in the newspapers published in Madison, Greensburgh and one at Indianapolis, he let at the court house in Indianapolis, the bridging of Flat Rock and Big Blue river. The first 130 feet and the latter 140 feet in length, for the sum of 5835 dollars. / The plan adopted by the Commissioner is that of Mr. Ithiel Town's patent. It is entirely new in Indiana, but if used here with the same success as in Ohio, New York and other states, it must be greatly preferred on account of its cheapness, durability and simplicity of construction, to the plans now generally in use. That these are some of the advantages it possesses over other methods, is not only the opinion of the Commissioner, but of intelligent mechanics, who examined the model and plan which were furnished by the Commissioner for the benefit of contractors on the day of sale, and of others who have examined the bridge over Blue river. For the use of this patent, the Commissioner has agreed to give to the proprietor not to exceed 50 cents per foot.

In addition to these, the Commissioner also, on the 3d of July, let the construction of 4 frame bridges, 210 feet, for the sum of 393 dollars and 50 cents. The remaining part of the appropriation, 2150 dollars, was reserved for extra work, and the improvement of places not sufficiently provided for in the general letting.

Having placed the southern end of the road under contract, the Commissioner, on the 3d of May, commenced the survey of that part of the road between Logansport and Lake Michigan, preparatory to opening the same. During this survey, which was made with all the care that its importance deserved, the Commissioner made many changes, by which the distance was somewhat shortened, the road considerably straightened, and placed on decidedly dryer ground. Had the commissioner been permitted, he could, by locating it, in some places, on Indian lands, have still further benefitted it. The surveying being finished, and substantial posts set at the north end of each mile or section, and the Commissioner having advertised according to law, the opening of that part of the road 100 feet wide, the causewaying of the swamps, grading the banks and bridging the streams, he, accordingly, between the 14th and the 22d of June, in the manner directed by the law under which he acted, placed the whole under contract.

For the convenience of contractors, the whole distance was divided into five districts, and at each place of sale, within the respective districts, had been forwarded a minute description of the

work to be done, as well as the manner of doing it, at least two weeks previous to the sale. The first sale was held at Stanton's in Laporte county, 14 miles from Lake Michigan, at which the opening of 18 miles, (sections 85 to 102,) 100 feet wide, the building of 2 frame bridges, 40 feet each, 17 puncheon bridges, making 390 feet, the grading of 30 hills and banks, constructing 190 rods of log causewaying, (used over the worst description of marshes, such as cannot to all appearance, at least, be drained,) 284 rods of turnpiking, (used over wet prairies that can be drained,) and 545 rods of causewaying by ditching on one side, the ditch of the same dimensions as those of the southern end of the road, sold for 6204 dollars, making the average cost per mile, 345 dollars and 66 cents.

The second sale was held at Lykin's on Lake De Chemin, at which the opening of 12 miles, sections 73 to 84, 100 feet wide, the construction of 5 puncheon bridges 115 feet, 281 rods of log causewaying, 128 rods of turnpiking, 229 rods of ditching on one side, sold for 1867 dollars, making the average cost per mile, 155 dollars and 58 cents.

The 3d sale was held at South Bend, at which the opening of 32 miles, (sections 41 to 72) 100 feet wide, the construction of 2 frame bridges 140 feet long, 22 puncheon bridges, 425 feet long, the grading of 15 banks and hills, the construction of 201 rods of log causewaying, 278 rods of puncheon causewaying, (used over the worst description of prairie and cranberry marshes,) 473 rods of turnpiking, 684 rods of ditching on one side, sold for \$10,096, averaging per mile \$315.50.

The 4th sale was held at the crossing of Tippecanoe river, at which the opening of 16 miles, sections 25 to 40, 100 feet wide, the building of 17 puncheon bridges 210 feet, the grading of 21 hills and banks, constructing 59 rods of log causewaying, 28 rods of puncheon causewaying, 263 rods of turnpiking, and 280 rods of ditching, sold for \$4,381, averaging \$273.81 per mile.

The 5th and last sale was held at Logansport, at which the opening of 24 miles, sections 1 to 24, 100 feet wide, the construction of 1 frame bridge 180 feet long, 24 puncheon bridges, making 761 feet, the grading of 24 hills and banks, the construction of 347 rods of log causewaying, 1341 rods of turnpiking, and 1,116 rods of ditching on one side, sold for \$6,835, making the average cost per mile \$284.79.

On the first Monday in June, two months notice having been previously given, as prescribed by law, the Commissioner commenced in the town of South Bend, a sale of the Michigan road lands, at which there were sold 13,709 29-100 acres, for \$18,134.29, making the average price per acre one dollar and thirty-three cents. The highest price given for any one tract, was seven dollars per acre. At this sale, it had been most confidently expected by the commissioner, judging from the number of persons viewing the lands, with a view to purchase when offered,



that a sufficient sum would be realized, to refund to the State, the amount of her claim against the road fund, and to redeem the scrip then in circulation; but unfortunately at this period, it was supposed, that this part of the State was in danger of being overrun by the north western Indians, and although these apprehensions proved to be groundless, yet they had the effect of driving not only purchasers, but even citizens out of the country.

Finding it impracticable to secure the State in her debt, by pursuing the law of last session, the Commissioner, previous to the commencement of the sales in October, at the instance of the Treasurer of State and Auditor of Public Accounts, reserved from sale, *except for cash*, the N. E. qr. or fractional qr. of each section. By this arrangement 1,774 dollars and 62 cents have been received, and paid into the Treasury. Should this method meet the approbation of the Legislature, they may rest assured, that the balance of the debt will be paid within the coming year; as not less than 27,680 acres of land are set apart for that object.

On the 3d Monday in October, the Commissioner held a second sale of the Michigan Road lands, in the town of Logansport, at which, 15,113 66-100 acres were sold for 22,635 dollars and 42 cents, making the average price per acre at this sale, one dollar and forty-three cents. The highest price paid for any one tract was 4 dollars and 50 cents per acre.

At the October and June sales, there were sold 28,823 5-100 acres, for the sum of 40,769 dollars, making the average price per acre one dollar and forty cents.

In October, 1831, there was sold 29,609 acres and 68-100 for the sum of 49,371 dollars and 91 cents. By adding these three sales together, it will be seen, that up to the close of the public sale in October last, there has been sold 58,432 73-100 acres of road lands for 90,141 dollars and 62 cents, making the average price per acre of these three sales one dollar and fifty-four cents per acre. By taking the quantity of land sold, from the whole road grant, which is 169,152 acres, it will be seen, that there are left 110,719 acres 27-100 to be disposed of by the General Assembly for the further improvement of the Michigan road, subject however, to the amount of such unredeemed scrip, and the amount not yet issued on the present contracts, and the remainder of the debt due the State. Since the public sale in October, up to the 24th of November, there has been sold at the Office opened by the Commissioner for that purpose, in Logansport, 92,191 84-100 acres, for the sum of 11,524 dollars and 77 cents, —1,841 dollars and 18 cents of which were in cash.

After putting the whole road under contract, from Madison to the Lake, it was ascertained that it would add much to the utility of the road, to have extra work done, on such swamps and other places, which had not been sufficiently examined and contracted for, at the public sales.



Document (A.) in a tabular form will show the nature and amount of such extra work, being 3,713 dollars and 7 cents. By this it will also be seen, that there has been expended, south of Logansport, 1,563 dollars and 7 cents, more than the appropriation.

Many of the Contractors will be unable to finish their work, by the last day of November, and the Commissioner hopes that a further time will be allowed them, particularly those north of Logansport.

Document (B.) will show the amount of scrip issued and registered by the former contract Commissioner. The amount issued by the present Commissioner on former contracts, and on contracts of the present year; the amount issued for contingent and incidental expenses; the amount received in payment of lands sold up to the 24th of November; the amount still in circulation, and the contingent and incidental expenses for this year, it will be seen by reference to Document C, are considerably more than was anticipated by the last General Assembly.

The Commissioner feels assured, that no expense has been incurred, which he did not deem necessary, in order to carry into effect the will of the General Assembly.

Document D., presents, in a Tabular form, the quantity and description of work contracted for, to be done on each mile, with the price and contractor's names.

Document E., is a register of the certificates of land sold.

All of which is respectfully submitted,

WM. POLKE, C. M. R.

December 15, 1832.

(D.)

Tabular form of the improvements let on each mile South of Logansport, commencing at Madison.

Contractors Names.	No. of mile.	Frame bridge.	Length of frame.	Puncheon bridges.	Length of P. bridges.	Hills to be graded.	causewaying.		Amount sold.		[tion of from 4 to 5½ deg. no improvements. no improvements.
							Ditching one side.	Ditching both sides			
John Sering,	1								\$ 998 00		Madison hill graded to an eleva-
John Sering,	2										
Matthew W. Ray,	3										
James Underwood,	4						306		125 00		
John Sering	5						320		135 00		
same,	6						320		136 00		
same,	7						320		137 00		
Thomas Jamison,	8						80		138 00		
same,	9								37 00		
Thomas Jamison,	10	2	50			3			49 00		
same,	11	1	15			2			88 00		
Jacob Bryant,	12								133 00		
John Sering,	13	3	35			9			140 00		

Samuel Ross,	14	2	20	13		120 00
John Sering,	15	5	70	15		150 00
James McCloskey,	16	2	30	8		67 00
William Skeen,	17	2	25	1	256	98 00
Enos Miles,	18				320	106 00
Ephraim Hand,	19				247	88 00
James Blair,	20	1	10	6		94 00
Joseph Briden,	21	5	75	13	80	98 00
James McCuskey,	21	5	75	13	80	28 00
James Blair,	22	3	30	5	119	89 00
Joseph Briden,	23				320	120 00
William Hiatt,	24				240	97 00
Joseph Bredin,	25	1	10	5		21 00
James Davis,	26	1	15	5		19 00
same,	27	3	40	13		100 00
John Walker,	28	10	150	21		103 00
same,	29	3	40	6	100	103 00
same,	30	7	105	13	52	72 00
same,	31	8	140	6		74 00
Wm. Skeen,	32				180	69 00
George Mirex,	33	2	35		25	18 50
John Walker,	34	1	15		24	15 00
Wm. Skeen,	35				85	33 00
John Cobb,	36	1	30			18 00
same,	37					6 00
Nothing,	38					
					24	
					18	
						Nothing done
						126 00

Erasmus Powell,  
 John Cobb,  
 same,  
 Erasmus Powell,  
 same,  
 John Cobb,  
 Erasmus Powell,  
 Nothing,  
 John Cobb,  
 same,  
 William B. Cobb,  
 Nothing,  
 D. Boyer,  
 Jacob Boyer,  
 John Walker,  
 Peter Zeigler,  
 Nothing,  
 S. C. Winingham,  
 same,  
 same,  
 Jacob Boyer,  
 William G. Paul,  
 John Paul,  
 William Medkiff,  
 John Paul,  
 John Hendricks,

39	1	20	3	212	70 00	155 rods old log causewaying to [be removed.]
40	3	45	1	29	43 00	"
41	1	10	2	47	48 00	"
42	1	10	4	5	56 00	
43	1	10	1		44 00	
44	1	10	1		14 00	to make a drain to spring branch.
45	1	10	6	10	73 00	nothing done
46						
47	1	19	2	13	17 00	nothing done
48				12	19 00	
49				116	117 00	nothing done
50	2	40	1	30	32 50	swamp to be drained to Clifty.
51	2	20	3	49	17 50	
52	1	15	1		99 00	swamp to be drained.
53			4		32 00	nothing done.
54						
55			1	44	39 00	
56				49	50 00	
57			1	34	34 00	
58				13	11 50	
59			1	111	104 50	
60				320	107 50	
61				52	118 50	
62	2	55		77	66 50	
63	1	30	1		39 50	swamp drained and frame bridge [repaired.]



John Allen,	65	1		30		100	86 00	swamp drain'd & F. B. repair'd.
Nothing,	66							nothing to be done.
Nothing,	67	2		60	1	54	66 00	do.
Charles Chittendon,	68					107	76 00	
John Allen,	69	3		90		79	73 00	
Lewis Morgan,	70	1		30		86	72 50	swamp to be drained.
same	71					121	177 50	Braudywine bridge to be repard.
same	72	2	150	30		6	11 00	
same	73	1		30	1	26	35 00	
Erasmus Powell,	74	1		30		17	23 00	
Lewis Morgan,	75					80	68 00	
Alexander Robertson,	76	2		63		158	169 00	
Nathan Simpson,	77				3	94	90 00	
Erasmus Powell,	78					64	47 00	
Alexander Robertson,	79							Nothing to be done.
Nothing,	80						32 50	
Alexander Robertson,	81	1		20	6	21	65 00	
John A. Greer,	82				1	160	127 00	
same	83	2		50	3	6	19 50	
same	84	2		60		272	229 00	
Alexander Robertson,	85					161	166 00	
same	86					217	172 00	
same	87					39	34 00	
John Walker,	88					40	69 00	[turned fremroad.
Robert Patterson,	89	1		30		75	56 00	Timber cut and Pleasant run
same	90							

Robert Patterson,  
A. C. Reed,

Isaac Fisher,

John Walker,  
same

same  
same  
same  
same  
same  
same  
same  
same  
same  
same

Sidney Williams,

same  
same

John Walker,

same  
same  
same  
same

91	20				40	89 00	1 drane.
92	50				47	59 00	Nothing on this mile, Indianapolis
93							do.
94							do.
95							Swamp drained to Fall creek.
96					25	49 00	Nothing.
97					6	33 00	
98						100 00	
99				2	8	39 00	White River hill.
100	20				34	60 00	
101					22	74 00	
102				2	5	45 00	
103					55	44 00	
104					90	84 00	
105					66	51 00	
106	20					62 00	
107	110			10		118 00	
108	75			10		26 00	
109	25				17	51 00	
110	85				39	33 50	Marsh drained.
111	60				14	140 00	
112	75				36	227 00	62 rods of ditch are 5 ft. deep.
113	135			1		50 00	
114	80			7	84	85 00	
115	75			1		101 00	1 swamp to be drained.
116	50			1	46		

Sidney Williams	117				123	299 50	Prairie to be 160 rods
S. C. Winnigham	118				118	200 00	One swamp to be drained 60 R.
same	119	4	130		142	263 00	do. do. 80 do.
same	120	4	100		21	100 00	do. do. 50 do.
same	121	1	30		88	184 00	
same	122	2	60		58	95 00	
same	123	1	30		120	169 00	
same	124	1	60		175	235 00	P. at Kirkstobe drained 102 R.
Richard R. Cox	125	1	60	100	47	317 00	Bridge was sold separately to
John Walker	126	1	40		80	170 00	do. do. J. Walker
same	127	2	40		61	120 00	
same	128	1	20		60	98 00	
same	129				60	90 00	
same	130				118	164 00	
Richard G. Paris	131	2	55		42	74 00	
same	132	1	20		31	145 00	Swamps to be drained.
Walker and Shortridge	133	1	40	2	16	204 00	
same	134	4	90		85	109 00	
same	135	2	50		42	83 00	
same	136	1	80		71	310 00	
George H. Downs	137			320		164 00	
same	138	1	30	1	110	156 50	
Sidney Williams	139	1	30		25	40 00	
same	140	2	60		39	70 00	
same	141	3	60		49	197 50	
same	142			100		163 00	
same	143			203		200 00	Swamp drained 20 Rods.
				320			





## D.

A Tabular form showing the quantity and description of work let on each mile North of Logansport.

Contractor's names.	No. of miles.	Width opened in ft.	No. of frame bridges.	Length.	No. of rods of log conveying.	No. of hills.	Turn-piling in rods.	Ditching in rods.	A novel sold.	Remarks.
Samuel Scott	1	100						6	\$ 237 00	The miles are numbered north, from Logansport. Pond to be drained 25 rods. Swamp to be drained E. 40 rods. Swamp to be drained 40 rods.
Alexander Wilson	2	"		20		10		25	200 00	
William Demoss	3	"		30		5		12	209 00	
Silas Atchison	4	"		75	4			38	215 00	
Samuel Ward	5	"		25				28	170 00	
Silas Atchison	6	"							224 00	Swamp to be drained 40 rods.
same	7	"							289 00	
Daniel Bell	8	"						38	220 0	
same	9	"		10					199 0	
Silas Atchison	10	"		10				142	237 0	
Harrison Barnett	11	"		24				106	278 0	
Walter Wilson	12	"			50		7	4	388 00	

Walter Wilson	13	"				127	16	69	444 00
Daniel Bell	14	"				58	22	31	298 00
Alexander Wilson	15	"			1	40	100		299 00
same	16	"				26	228		239 00
William Scott	17	"		1	10	42	152		240 00
William A. Hall	18	"		1	347			122	399 00
same	19	"						105	300 00
William Polke Jr.	20	"		2	55			88	295 00
Jacob Bozarth	21	"		3	45			58	280 00
Charles P. Neeley	22	"		1	25			18	267 00
same	23	"					50		20 00
Sailors and Walker	24	"					140		589 00
John Walker	25	"	1	1	10		115		245 00
same	26	"		1	10		43		189 00
same	27	"							153 00
Wm. Scott	28	"		1	25			2	200 00
same	29	"		3	30			16	274 00
same	30	"						9	239 00
George Clymer	31	"		1	10		53	6	295 00
John Walker	32	"		2	40				239 00
George Clymer	33	"		2	20			22	273 00
same	34	"		4	45			149	485 00
George Caldwell	35	"		2	20			62	378 00
same	36	"					4	6	341 00
David Dinwiddie	37	"					24	14	378 00
Cyrus Tabor	38	"				54			200 00
						5			

P. bridge over Mud creek.

Pond drained 30 rods.

Nothing but opening 100 feet.  
2 swamps to be dr. 30 rods each.



[illegible]



David Dinwiddie	91	25	1	42	66	468 00	Hill to be graded in centre.
John Sailor		70	1	9		549 00	
Wilson Malone		40	1	6	8	325 00	
Roberts S. Morrison		45	1		56	425 00	
Judah Leaming		30	4	47		298 00	
Alexander Blackburn		30	2	6	100	330 00	
John Sailor		30	2	52	69	689 00	
David Dinwiddie		50	2		236	770 00	
John Dickey		30	4	5	48	625 00	Swamp to be drained 80 rods.
Arthur M'Clure		40	2	17	12	296 00	
same		30	1	15	10	225 00	Swamp to be drained to Trail C.
Elijah H. Brown.						78 00	
	92	1506	93,1028	25	62489	1962.29389 00	The am't N. of Logansport.

(C)

Wm. Polke in account with the State of Indiana, as Michigan  
Road Commissioner Dr.

1832,

June 8,	To amount of sales of Michigan Road Lands at South Bend, as per Register of Certificates, numbered from 386 to 564, both inclusive,	\$18,134 29
"	To amount of scrip issued by Commissioner for vouchers numbered from 104 to 113 both inclusive,	1,126 13
Oct. 19,	To amount of public sales in October, 1832, at Logansport, as per Register of Certificates, numbered from 565 to 763, both inclusive,	22,635 51
23,	To amount of scrip issued by Commissioner to pay for vouchers numbered from 124 to 132, both inclusive,	692 25
Dec. 10,	To amount of scrip issued by Commissioner to pay vouchers numbered from 147 to 149, both inclusive,	249 50
	To amount of private land sales from October 20th to November 24th, inclusive, as per Register of Certificates, numbered from 764 to 868,	11,524 77

1832,

Cr.

By amount of scrip deposited in Treasury,	-	\$45,592 29
" " of cash,	- - -	4,574 50
" " of surveying account,	- - -	234 00
" " Incidental account,	- - -	661 75
" " Provision do.	- - -	99 88
" " Stationary do.	- - -	10 59
" " Clerk hire do.	- - -	1,059 00
" " Printing, do.	- - -	382 00
" " Forfeited Certificates,	- - -	650 15
" " Commissioner's services, 1831,	- - -	19 12
" " State officers salaries,	- - -	150 00
" " Drafts on Hon. Lewis Cass, Secretary at War, to be forwarded to Treasurer of State, &c.	- - -	575 00

The foregoing is correct.

WM. POLKE, Com.

Dec. 14, 1832.

## (B.)

Amount of scrip issued by former contract Commissioner on contracts of 1830.	Scrip issued by Commissioner on contracts entered into the present year.	Amount issued for contingent and incidental expenses.	Total amount issued.	Amount redeemed.	In circulation. Amount to be issued on present contracts.
\$55,373 48	\$6,661 97	\$42,085 20	\$2,067 89	\$106,188 53	\$94,177 72
				\$12,010 81	\$15,661 02

(A.)

## Extra work from Madison to Indianapolis.

No. of miles.	Contractors' names, &c.	Cost.
1	John Serring—Addition culvert on Madison hill as per agreement	\$400 00
	Setting and painting mile posts	15 00
11	Thomas Jemmison - - -	10 00
12	Jacob Bryant - - -	15 00
21	Joseph Breeding - - -	16 00
23		
25		
20		
22	James Blair - - -	
26		
27		
28		
31	John Walker - - -	12 00
33	same, - - -	5 00
39	George Myers - - -	6 00
40	Erasmus Powell - - -	25 00
41	John Cobb - - -	4 00
44	same, - - -	2 00
45	same, - - -	11 00
47	E. Powell - - -	6 50
48	John Cobb - - -	1 00
53	- - -	2 00
62	John Walker - - -	4 60
64	Wm. Medcalf - - -	28 75
65	John Hendricks - - -	8 50
66	John Allen - - -	22 00
69	- - -	2 00
58	John Allen - - -	42 50
70	M. Gay, special contract - - -	4 60
71	Lewis Morgan - - -	10 00
72	same, - - -	8 00
74	same, - - -	23 00
75	Erasmus Powell - - -	100 00
77	Lewis Morgan - - -	2 00
78	Nathan Simpson - - -	26 25
	E. Powell - - -	13 75



## Extra work, &amp;c., Continued.

No. of miles.	Contractors' names, &c,	Cost.
79	Alexander Robison - - -	23 00
81	same, - - -	6 00
82	John A. Greer - - -	22 50
83	same, - - -	16 50
85	Alex. Robison - - -	57 00
86	same, - - -	25 00
87	- - -	20 25
		<hr/> \$996 70

## Extra work authorized between Indianapolis and Logangnsport.

No. of miles.	Contractors' names, &c.	Cost.
109	Sidney Williams - - -	4 25
110	same, - - -	24 75
111	same, - - -	19 25
112 } 113 } 114 } 115 } 116 }	John Walker - - -	100 00
117	Sidney Williams - - -	242 00
118	same, - - -	351 25
120	Sidney Williams on Winningham & Co.	71 25
121	same, - - -	113 12
122		69 50
124		17 00
133	Walker and Shortridge - -	234 00
134 } 135 } 136 }	same, - - -	414 00

## Extra work authorized, &amp;c., Continued.

No. of miles.	Contractors' names, &c.	Cost.
125	Richard R. Cox - - -	11 00
131 } 132 } 137 }	Richard G. Paris - -	73 00
138 }	George W. Downs - - -	78 00
139	Sidney Williams - - -	289 00
140	same, - - -	19 00
141	same, - - -	196 25
142	same, - - -	157 00
143	same, - - -	40 75
146 } 147 } 150 }	Harrison Barnett - - -	150 00
151 } 159 }		
148 } 149 } 153 }	Adam Vinnage - - -	42 00
154 } 155 } 156 } 157 } 158 }		
		<hr/> 2716 37
	Extra from Madisom to Indianapolis -	996 70
	“ from Indianapolis to Logansport -	2716 37
	Total extra	<hr/> 3713 07

# [E. No. 1.]

## Register of Certificates given to purchasers of Michigan Road Lands at South Bend.

H 4	Date.	No. of cert.	Description.	Town		Ac'r's bdds.	Pr. dl. ct	Am't	Purchasers' names and residence.
				Sec.	North				
	1832.								
	June 4.	386	E 1-2 N W	34	38	1 W.	80	100 00	Matthias Rush, Warren, Ohio.
		387	W 1-2 "	"	"	"	76	95 85	same,
		388	E 1-2 S E	"	"	"	80	100 00	same
		389	E 1-2 N E	31	"	1 E.	80	100 00	Michael Brand Laporte, Ind.
		390	W 1-2 "	"	"	"	80	100 00	same
		391	E 1-2 S E	"	"	"	80	100 00	James Adams, St. Joseph
		392	W 1-2 "	"	"	"	80	104 00	Charles Vaile, "
		393	N 1-2 N W	"	36	2 E.	76	115 20	Joseph Palmer, Botetourt, Va.
		394	N part N E frac. E M R	11	"	"	36	46 22	Matthias Stover, "
		395	S pt of S W frac } W of M. road	12	Selections in Ind. country	"	33	70 97	{ J. Blair, J. Orr & W. Polke, Vermillion, Putnam & Knox, Ind.
		396	N pt. N W frac. W. M. R.	13	"	"	34	69 38	same
		397	S. pt. N. W. frac. W. M. R.	13	"	"	47	95 51	same
		398	E 1-2 N W	9	37	2 W.	80	119 20	Adam G. Polke, Laporte, Ind.
	June 5.	399	W 1-2 "	"	"	"	80	119 20	same
		400	W 1-2 N E	"	"	"	80	120 00	John Walker, Shelby, "

401 W 1-2 S W	"	7	"	"	"	79 80	1 25 99 75	same	do	de
402 E 1-2 N E	"	"	"	"	"	80	1 50 120 00	Israel Markam,	Cass,	M. T.
403 N pt of frac. S. 1-2 E. M. R.	"	14	Selections in Indian country	"	"	106 48	1 50 159 72	Robert Martin,	Marion,	Ind.
404 S 1-2 of N W fr. W M R	"	15	"	"	"	94 52	1 50 141 78	William Polke,	Knox,	do
405 Middle fr. E M R	"	29	"	"	"	7 88	1 25 9 85	same	do	do
406 W 1-2 N E	qr	24	38	1 E	"	80	1 25 100 00	Andrew Motter,	Carroll,	do
407 E 1-2 S E	"	19	"	2 E	"	80	1 30 104 00	same	do	do
408 E 1-2 N E	"	21	"	"	"	80	1 25 100 00	Robert Martin,	Marion,	do
409 W 1-2 "	"	13	37	3 W.	"	80	1 25 100 00	John Walker,	Shelby,	do
410 E 1-2 N W	"	"	"	"	"	80	1 25 100 00	same	do	do
411 W 1-2 N W	"	13	"	"	"	80	1 25 100 00	same	do	do
412 E 1-2 S W	"	14	"	"	"	80	1 25 100 00	Aaron Stanton,	Laporte,	do
413 E 1-2 S E	"	"	"	"	"	80	1 25 100 00	John Walker,	Shelby,	do
414 W 1-2 "	"	"	"	"	"	80	1 25 100 00	same	do	do
415 E 1-2 S E	"	19	"	"	"	80	1 25 100 00	David Clark,	Montgomery,	do
416 W 1-2 "	"	"	"	"	"	80	1 25 100 00	same	do	do
417 N E frac. of	"	26	"	"	"	107 65	1 50 161 48	John Walker,	Shelby,	do
418 N W "	"	"	"	"	"	113 35	1 60 181 36	William Polke,	Knox,	do
419 N E "	"	27	"	"	"	40 03	1 25 50 04	John Walker,	Shelby,	do
420 E 1-2 N E	qr	30	"	"	"	80	1 25 100 00	Robert S. Morrison,	Laporte,	do
421 W 1-2 "	"	"	"	"	"	80	1 27 101 60	Brainard Goff,	Vermillion,	do
422 E 1-2 N W	"	"	"	"	"	80	1 25 100 00	same	do	do
423 W 1-2 "	"	"	"	"	"	96 73	1 25 120 92	Jacob R. Hall,	Cass,	do
424 W 1-2 S E	"	31	"	"	"	80	1 25 100 00	Luke Foster,	Hamilton,	Ohio
425 W 1-2 "	"	32	"	"	"	80	1 52 121 60	Joseph Orr,	Putnam,	Ind.



426	E 1-2 S W	"	32	"	"	80	1 25 100	oo	same	do	do
427	W 1-2 "	"	"	"	"	80	1 25 100	oo	same	do	do
428	E 1-2 N W	"	13	"	2 W.	80	1 43 114	40	Jesse N. West,	Laporte,	do
429	E 1-2 N E	"	14	"	"	80	1 25 100	oo	Ezekiel Provolt,	do	do
430	W 1-2 S E	"	"	"	"	80	2 32 185	60	Israel Markam,	Cass,	do
431	W 1-2 N E	"	17	"	"	80	1 25 100	oo	George W. Barns,	Laporte,	M. T. Ind.
432	E 1-2 N W	"	18	"	"	80	1 25 100	oo	Jacob Miller,	do	do
433	E 1-2 N E	"	24	"	"	80	1 25 100	oo	Charles Ketchin,	Oncida,	N. Y. do
434	E 1-2 S E	"	"	"	"	80	1 25 100	oo	same	do	do
435	E 1-2 N W	"	26	"	"	80	1 25 100	oo	James Highly,	Laporte,	Ind.
436	W 1-2 "	"	"	"	"	80	1 25 100	oo	same	do	do
437	W 1-2 S W	"	28	"	"	80	1 25 100	oo	John Walker,	Shelby,	Ind.
438	E 1-2 "	"	"	"	"	80	1 25 100	oo	Daniel Murray,	Laporte,	do
439	W 1-2 S E	"	"	"	"	80	1 25 100	oo	same	do	do
440	N W fr'l qr & pt. of N E qr	"	31	"	"	118 36	1 60 189	38	Aaron Stanton,	do	do
441	E 1-2 N W fr'l qr	"	36	"	"	58 24	1 75 101	92	John Bailey,	St. Joseph,	do
442	W 1-2 "	"	"	"	"	58 24	1 25 72	80	same	do	do
443	S fr N W pt of S Ind Bdry.	"	31	"	"	65 12	1 25 81	40	Aaron Stanton,	Laporte,	do
444	W fr of S E pt of S Ind Bdry	"	"	"	"	96 50	1 25 120	63	John Walker,	Shelby,	do
445	Frac S W qr	"	"	"	"	136 89	1 25 171	11	same	do	do
446	S 1-2 N E fr'l qr S Ind Bdry	"	32	"	"	66 19	1 25 82	74	Daniel Murray,	Laporte,	do
447	S 1-2 N W fr'l qr S Ind Bdry	"	"	"	"	65	1 25 81	25	William Bond,	do	do
448	E 1-2 S E qr	"	"	"	"	78 36	1 25 97	95	same	do	do
449	W 1-2 S E "	"	"	"	"	80	1 25 100	00	same	do	do
450	S fr N E qr S Ind Bdry	"	33	"	"	84	1 25 105	00	John W. Ladd,	do	do
451	W 1-2 N W qr	"	5	"	1 E	80	1 25 100	00	Robert Martin,	Marion	do

June 6.	452E 1-2SE	qr	21	38	2 E	80	1 25 100 00	Edward Stevenson,	Champaign Ohio
	453W 1-2SW	"	20	"	"	80	1 42 113 60	John Weaver,	St. Joseph, Ind.
	454W 1-2SE	"	28	"	"	80	1 25 100 00	Edward Stevenson,	Champaign, Ohio
	455W 1-2SE	"	19	"	"	80	1 31 104 80	Andrew Motter,	Carroll, Ind.
	456N 1-2 NW fr W M R		15	Selections in Indian country		66 52	1 51 100 45	James Blair,	Vermillion, do
	457S pt of fr 1 S 1-2E M R		14	"	"	80 48	1 50 120 72	Joseph Vanvactor,	Union, do
	458N 1-2 NE fr	"	15	"	"	94 48	1 50 141 72	do	do
	459W 1-2SW qr		1	37	3 W.	80	1 25 100 00	W. Clark & J. W. Macy,	Laporte, Ia.
	460N 1-2SE fr E M R		34	Selections in Indian country		108	1 31 141 48	Joseph Hall,	Cass, do
	461S 1-2 " " "		"	"	"	117	1 30 152 10	Joseph Hall,	do do
	462E 1-2SW qr		7	37	2 W.	80	1 25 100 00	John Garrard,	Laporte, do
	463E 1-2SE qr		"	"	"	80	1 25 100 00	same	do do
	464W 1-2 "		"	"	"	80	1 25 100 00	same	do do
	465W 1-2SW	"	8	"	"	80	1 25 100 00	same	do do
	466E 1-2SW	"	21	38	1 W	80	1 25 100 00	John Druhner,	St. Joseph, do
	467W 1-2 "	"	"	"	"	80	1 25 100 00	same	do do
	468W 1-2NE	"	22	"	2 E	80	1 25 100 00	Patrick Laffin,	do do
	469E 1-2SE	"	3	37	2 W	80	1 25 100 00	Charles Ives,	Laporte, do
	470W 1-2NE	"	15	"	"	80	1 25 100 00	same	do do
	471S 1-2NE fr 1 qr S Ind Bdry		32	"	3 W	52	1 25 65 00	Joseph Orr,	Putnam, do
	472S 1-2 N W fr 1 qr S " Bdry		"	"	"	52	1 25 65 00	same	do do
	473W 1-2SW qr		30	"	"	98 99	1 25 123 74	same	do do
	474E 1-2 "	"	"	"	"	80	1 25 100 00	Luke Foster,	Hamilton, Ohio
	475E 1-2SE	"	"	"	"	80	1 25 100 00	same	do do

476	E 1-2 S W	qr	19	38	2 E	80	1 25 100	00 John Blake,	Cass, M. T.
477	S pt of fr 1 N 1-2 E M R		13	"	Selections in Indian country	116 48	1 25 145 60	J. Blair, J. Orr & W. Polke,	
478	N " "	"	"	"	"	126 40	1 25 158 00	Vermillion, Putnam & Knox, Ind.	
479	W 1-2 S W	qr	14	37	2 E	80	1 25 100 00	same do	
480	W 1-2 N W	"	12	"	3 E	80	1 25 100 00	J. P. & D. Antrim St. Joseph Ind.	
481	N fr S E	"	12	"	"	83 30	1 25 104 13	Samuel Simonton Miami, Ohio.	
482	W fr N E	"	18	"	"	104 40	1 50 156 60	Samul Ireland St. Joseph, Ind.	
483	N fr N W	"	"	"	"	78 80	1 25 98 50	Stephen Leer do do	
484	W 1-2 S W	"	"	"	"	76 52	1 25 95 65	same do do	
485	S 1-2 N E	"	3	"	4 E	80	1 25 100 00	Jacob Bowman do do	
486	E 1-2 N W	"	95	"	"	80	1 25 100 00	Samuel Crosson Elkhart, do	
487	W 1-2 S W	"	28	"	"	80	1 25 100 00	Jesse Riggs Union, do	
488	E 1-2 N W qr		"	"	"	80	1 31 104 80	Heirs of J. Ireland decd. St Joseph, " do do	
489	E 1-2 S E qr		2	36	4 W	79 25	1 30 103 03	James Hutchins Warren, Ohio.	
490	W 1-2 S E qr		"	"	"	79 25	1 30 103 03	Daniel Wooley do do	
491	E 1-2 S W qr		2	"	"	79 25	1 31 103 82	Josiah Bryant Laporte, Ind.	
492	W 1-2 N E qr		11	"	"	79 25	1 25 99 06	John Walker, Shelby, Ind.	
493	E 1-2 N W qr		"	"	"	79 25	1 25 99 06	Andrew Gardner, Putnam, do	
494	E 1-2 N W qr		21	"	"	80 12	1 25 100 15	same do do	
495	W 1-2 N W qr		"	"	"	80 12	1 25 100 15	same do do	
496	E 1-2 S W qr		23	"	"	79 49	1 35 99 36	same do do	
497	E 1-2 N W qr		24	"	"	79 50	1 27 100 97	same do do	
498	W 1-2 S W qr		25	"	"	80	1 25 100 00	Henley Clyburn Laporte, do	
499	E 1-2 N W qr		4	"	3 W	80 01	1 25 100 01	Joseph Orr, Putnam, do	
500	W 1-2 N W qr		5	"	"	79 85	1 41 112 59	Benjamin Walker Dearborn, do	

501	W 1-2 S E qr	5	3 W	79 80	1 25 99	75 Brainerd Goff	Vermillion do.
502	W 1-2 S E qr	8	"	79 47	1 25 99	34 Lewis Shirley	Laporte do.
503	E 1-2 S E qr	11	"	79 75	1 30 103	68 John Brown	Vermillion do.
504	W 1-2 S E qr	"	"	79 75	1 31 104	48 David Dinwiddie	Trumbull Ohio.
505	E 1-2 S W qr	"	"	79 75	1 31 104	48 Charles Mowlan,	Laporte Ind.
506	E 1-2 N E qr	14	"	80	1 31 104	80 same	
507	W 1-2 N E qr	"	"	80	1 30 104	00 same	
508	E 1-2 N W qr	"	"	80	1 30 104	00 Absalom Rambo	do do
509	W 1-2 S W qr	15	"	80 92	1 25 101	15 Charles Mowlan	do do
510	W 1-2 N W qr	17	"	79 32	1 31 103	91 John Brown	Vermillion do
511	E 1-2 N E qr	23	"	80 86	1 25 101	08 Judah Learning	Laporte do
512	E 1-2 N E qr	24	"	79 29	1 36 107	84 same	
513	W 1-2 N W qr	"	"	79 29	1 25 99	11 same	
514	E 1-2 S E qr	"	"	79 09	1 25 98	86 Charles Mowlan	do do
515	W 1-2 N E qr	6	2 W	79 84	1 30 103	79 John Walker	Shelby do
516	E fr N W qr	"	"	79 56	1 30 103	43 same	
517	W 1-2 S E fr 1 qr	"	"	67 48	1 30 87	73 Benjamin Walker	Dearborn do
518	N E pt S W fr	"	"	13 75	1 30 17	88 same	
519	N W pt S W fr	"	"	29 75	7 00 208	25 J. P. & D. Antrim	St. Joseph do
520	S E pt S W fr	"	"	15 66	1 30 20	36 Benjamin Walker	Dearborn do
521	S W pt S W fr	"	"	3 16	1 45 4	58 same	
522	E 1-2 N W qr	1	1 E	81 75	1 25 102	19 George Holloway	St. Joseph do
523	W 1-2 S E qr	"	"	81 25	1 25 101	56 John Ruddick Jr.	do do
524	E 1-2 S W qr	"	"	81 25	1 25 101	56 Jonathan Wharton	Green Ohio.
525	E 1-2 N W qr	12	"	80 75	1 25 100	94 Joshua Garwood	do do
526	W fr " qr	"	"	75 29	1 25 94	11 Jacob Rupe	St. Joseph Ind.



527 E 1-2 N W qr  
 528 W 1-2 N W qr  
 529 W 1-2 S E qr  
 530 W 1-2 N E qr  
 531 E 1-2 N W qr  
 532 W 1-2 N W qr  
 533 E 1-2 S E qr  
 534 W 1-2 S E qr  
 535 E 1-2 S E qr  
 536 W 1-2 S E qr  
 537 E 1-2 N E qr  
 538 E 1-2 S E fr 1 qr  
 539 E fr N E qr  
 540 W 1-2 N W qr  
 541 E 1-2 N W qr  
 542 W 1-2 N W qr  
 543 W 1-2 N W qr  
 544 E 1-2 N E qr  
 545 W 1-2 N E qr  
 546 W 1-2 S E qr  
 547 E fr S E qr  
 548 fr 1 S W qr  
 549 W 1-2 N E qr  
 550 E fr N W qr  
 551 E 1-2 S W qr  
 552 W 1-2 N W qr

June 7.

June 8.

78	54	1	25	98	18	Samuel Good	St. Joseph, Ind.
78	54	1	25	98	18	Gabriel Fender	do do
78	60	1	25	98	25	John Manning	Green, Ohio.
77	66	1	25	97	08	Henry Rupe	St. Joseph Ind.
77	31	1	25	96	64	Matthias Stover	Botetourt Va.
77	31	1	25	96	64	same	
80		1	25	100	00	Charles Mowlan	Laporte Ind.
80		1	25	100	00	same	
80		1	25	100	00	John W. Barron	Cass M. T.
80		1	25	100	00	same	
80		1	25	100	00	John Walker	Shelby Ind.
79	53	1	25	99	41	Benjamin Walker	Dearborn do
78	26	1	25	97	83	John Walker	Shelby do
81	75	1	25	102	19	John Ruddick senr.	St Joseph Ind
80		1	25	100	00	Jesse Frame	do do
80		1	25	100	00	Benjamin Hardman	do do
67	08	1	25	83	85	same	
80	15	1	25	100	19	John Winchill	do M. T.
80	15	1	25	100	19	same	
80	05	1	25	100	06	Thomas Stilwell	do Ind.
24	19	1	25	30	24	Austin W. Morris	Marion do
9	40	1	51	14	20	same	
80		1	25	100	00	Alexander Coquillard,	St. Joseph, do
70	67	1	25	88	34	same	
79	80	1	25	99	75	William Polke	Knox do
79	42	1	25	99	28	same	



[P. No. 2.]

# Register of Certificates given to purchasers of Michigan Road Lands at Logansport.

Date.	No. of cert	Description.	Sec.	Town	Northrange	Ac'r's hdds.	Pr. acre.	Am't	Purchasers' names and residence.
1832.		No sale on this day.							
Oct. 15	565	E 1-2 N W qr	34	38	4 W.	80	2 04	163 20	John Sailor Laporte Indiana.
" 16	566	W 1-2 N W qr	"	"	"	80	4 50	360 00	H. M'Givens & S. Weston, Laporte do
	567	W 1-2 S E qr	"	"	1 W.	80	1 25	100 00	Matthias Rush, Warren Ohio.
	568	E 1-2 S E qr	35	"	"	80	1 41	112 80	David Stipp Montgomery Ind.
	569	E 1-2 S W qr	22	"	1 E.	80	1 25	100 00	John Dickey Butler Ohio
	570	E 1-2 S E qr	30	"	"	80	2 10	168 00	J. S. Williamson Warren do
	571	W 1-2 S E qr	"	"	"	80	2 36	188 80	John Dickey Butler do
	572	E 1-2 S W qr	"	"	"	80	2 13	170 40	J. S. Williamson Warren do
	573	W 1-2 S W qr	"	"	"	74	2 12	158 78	John Dickey do
	574	E 1-2 N W qr	31	"	"	80	3 06	244 80	Jacob Rush St. Joseph Ind
	575	E 1-2 S E qr	3	37	3 W.	80	1 25	100 00	B. M'Carty Laporte do
	576	E 1-2 N E qr	12	"	"	80	1 25	100 00	Jacob Miller do
	577	E 1-2 N W qr	14	"	"	80	1 25	100 00	Nathaniel Teal Shelby do
	578	W 1-2 N W qr	"	"	"	80	1 25	100 00	same do
	579	E 1-2 N E qr	8	"	2 W.	80	1 25	100 00	Baldwin Parsons Laporte do
	580	W 1-2 S E qr	8	"	"	80	1 25	100 00	James Webster do
	581	E 1-2 S E qr	9	"	"	80	1 43	114 40	John Cline Vermillion do

582w 1-2 n w qr	10	37	2 W	80	1	65,132	00	Alexander M'Alister	Cass do
583w 1-2 n e qr	13	"	"	80	1	25100	00	William Polke	Knox do
584e 1-2 s w qr	26	"	"	80	1	25100	00	James Webster	Laporte do
585w 1-2 n e fr'1 qr	36	"	"	60 94	1	25 76	17	Gustavus A. Cone	Decatur do
586e 1-2 s w qr	33	"	"	72 35	1	25 90	44	William Polke	Knox do
587w 1-2 n e qr	2	"	1 W	80	1	25100	00	J. S. Williamson	Warren Ohio
588e 1-2 n w qr	5	"	1 E	80	1	54123	20	John Dickey	Butler Ohio.
589e fr s w qr	12	"	3 E	65	1	25 81	25	S. H. Ireland	St. Joseph Ind.
590w 1-2 n e qr	26	"	4 E	80	1	25100	00	James Davis	Elkhart do
591e 1-2 n w qr	"	"	"	80	1	25100	00	Jacob Eller	St. Joseph do
592e 1-2 s e qr	"	"	"	80	1	25100	00	James Davies	Elkhart do
593w 1-2 " "	"	"	"	80	1	25100	00	same	
594w 1-2 n e qr	1	36	4 w	80 17	1	25100	21	John Walker	Shelby do
595e 1-2 n w qr	"	"	"	80 17	1	25100	21	Benjamin Sailor	Clinton do
596w 1-2 n w qr	"	"	"	80 17	1	33106	62	John Garwood	Laporte do
597w 1-2 n w qr	3	"	"	80 50	1	90152	95	William Thomas	do do
598w 1-2 s w qr	"	"	"	81 50	1	25101	87	Samuel Weston	do do
599w 1-2 n w qr	11	"	"	51 25	1	76 90	20	John Walker	Shelby do
600w 1-2 s e qr	27	"	"	80	1	25100	00	Samuel Weston	Laporte do
601e 1-2 s w qr	"	"	"	80	1	25100	00	same	
602e 1-2 s w qr	8	"	3 w	79 47	2	20174	83	Robert S. Morrison	do do
603w 1-2 s w qr	"	"	"	79 47	2	50198	67	Benjamin Sailor	Clinton do
604e 1-2 n e qr	12	"	"	79 74	1	25 99	67	W. G. & G. W. Ewing, Allen & Cass	"
605w 1-2 n e qr	"	"	"	79 74	1	60127	58	same	
606w 1-2 s w qr	"	"	"	79 61	1	25 99	51	Nathaniel Teal	Shelby Ind.
607e 1-2 s e qr	12	"	"	79 61	1	50119	41	Samuel F. Dodds	Dearborn do
608w 1-2 s e qr	"	"	"	79 61	2	42102	65	John Walker	Shelby do



609	E 1-2 N W qr	13	"	"	79 47	1 86147 81	Samuel F. Dodds,	Dearborn Indiana	do
610	W 1-2 N W qr	"	"	"	79 47	1 85147 02	Nathaniel Teal	Shelby	do
611	E 1-2 S E qr	"	"	"	79 44	2 30182 71	Samuel F. Dodds	Dearborn	do
612	W 1-2 S E qr	"	"	"	79 44	2 07164 44	same		
613	E 1-2 S W qr	"	"	"	79 44	2 07164 44	Benjamin Sailor	Clinton	do
614	W 1-2 S W qr	"	"	"	79 44	2 06163 65	Samuel F. Dodds	Dearborn	do
615	W 1-2 S W qr	2	36	4 W	79 44	1 31103 81	J. & P. Landis	Marion	do
616	W 1-2 N E qr	5	37	1 E	79 25	1 34107 20	John Dickey	Butler Ohio	
617	E 1-2 N W qr	30	38	2 E	80	1 25100 00	William Polke	Knox Ind.	do
618	W 1-2 S W qr	"	"	"	68 04	1 25 85 05	Samuel Judy	St Joseph	do
619	E 1-2 S W qr	12	37	3 W	80	1 25100 00	William Bond	Laporte	do
620	W 1-2 S W qr	26	38	2 W	80	1 25100 00	James Webster	do	do
621	E 1-2 S W qr	13	38	1 E	80	1 25100 00	Jesse Frame	St. Joseph	do
622	W 1-2 S W qr	35	37	4 W	80	1 27101 60	William Polke,	Knox,	do
623	E 1-2 S W qr	36	38	2 E	80	1 25100 00	Samuel Merrill	Marion	do
624	W 1-2 S W qr	"	"	"	80	1 27101 60	same		
625	E 1-2 S E qr	14	37	2 W	80	1 25100 00	John Walker,	Shelby,	do
626	E 1-2 S E qr	13	"	"	80	1 25100 00	same		
627	W 1-2 N W qr	35	38	4 W	80	1 25100 00	same		
628	E 1-2 S W qr	"	"	"	80	1 25100 00	same		
629	W 1-2 S W qr	"	"	"	80	1 35108 00	same		
630	E 1-2 N W qr	2	37	"	80	1 33106 40	Nathan Johnson	do	do
631	E 1-2 S W qr	"	"	"	80	1 25100 00	same		
632	W 1-2 S E qr	"	"	"	80	1 31104 80	same		
633	E 1-2 S W qr	35	"	"	80	1 25100 00	Isaac Morgan	Laporte	do
634	W 1-2 N W frl	36	"	"	51	1 25 63 75	Joseph Orr,	Putnam,	do
635	E 1-2 N W qr	"	"	"	57 43	1 25 71 81	same.		

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636	W 1-2 N W	qr	36	37	4 W	57 45	1 25	71 81	Joseph Orr	Putnam	Ind.
637	W 1-2 "	"	4	36	3 W	80 01	1 25	100 01	same		
638	E 1-2 S E	"	33	37	2 W	80	1 25	100 00	Hiram Todd	Cass	do
639	W 1-2 "	"	"	"	"	80	2 00	160 00	same		
640	E 1-2 S W	"	5	"	1 E	80	1 25	100 00	Jeremiah S. Williamson,	Warren O.	
641	E 1-2 S W	"	25	"	4 W	80	1 25	100 00	Adam Keath	Laporte, Ind	
642	W 1-2 S E	"	25	"	"	80	1 25	100 00	Elijah H. Brown	Laporte	Ind.
643	E 1-2 S E	qr	36	38	"	80	1 25	100 00	James Laughlin	do	do
644	W 1-2 S W	qr	33	37	2 W	64 25	1 25	80 31	W. G. & G. W. Ewing,	Allen	do
645	E 1-2 S W		14	36	3 W	80	1 25	100 00	John M. Bay	Boone	do
646	W 1-2 "	"	"	"	"	80	1 61	128 80	same		
647	E 1-2 "	"	17	"	"	78 96	1 25	98 70	Hugh McGiven,	Laporte	do
648	W 1-2 S E	"	22	"	"	80 12	1 56	124 98	same,		
649	W 1-2 N W	"	"	"	"	80 38	1 45	116 55	Roswell Munsell		do
650	E 1-2 S W	"	"	"	"	80 12	1 50	120 18	Hugh McGiven		do
651	E 1-2 N W		23	"	"	80 86	1 43	115 62	J. & P. Landis	Marion	do
652	E 1-2 S E		"	"	"	82 62	1 25	103 27	same		
653	W 1-2 S E		"	"	"	82 62	2 40	198 28	W. G. & G. W. Ewing	Cass	do
654	E 1-2 N W	qr	24	"	"	79 29	1 25	99 11	J. M. Bay & Sid. Williams	Boone	do
655	E 1-2 S E	"	25	"	"	79 90	1 37	109 46	J. & P. Landis	Marion	do
656	E 1-2 N W	"	26	"	"	82 64	1 25	103 30	Wm. H. Campbell	Shelby	do
657	W 1-2 "	"	"	"	"	82 64	1 25	103 30	same		
658	E 1-2 S W	"	"	"	"	80 89	1 30	105 13	same		
659	W 1-2 S W	qr	"	"	"	80 89	1 25	101 11	same		
660	E 1-2 N W	"	35	"	"	80 15	1 25	100 18	John Walker	Shelby Ind.	
661	W 1-2 S E	"	"	"	"	80 05	1 30	120 07	J. & P. Landis	Marion	do
662	E 1-2 S W	"	"	"	"	80 05	1 50	120 07	same	do	do

663 W 1-2 S W	qr	663	W	1-2	S	W	qr	80	05	1	50	120	07	same	Shelby	do
664 E 1-2 N W	qr	664	E	1-2	N	W	qr	80	15	1	25	100	19	John Walker	Shelby	do
665 W 1-2 "		665	W	1-2	"			80	15	1	27	101	79	same	Boon	do
666 E 1-2 S W		666	E	1-2	S	W		80	05	1	80	144	09	Sidney Williams	Shelby	do
667 W 1-2 S W		667	W	1-2	S	W		80	05	1	51	121	55	same	St. Joseph,	do
668 W 1-2 S E		668	W	1-2	S	E		80	05	2	11	168	90	same	Shelby	do
669 E 1-2 N W		669	E	1-2	N	W		80	05	2	09	160	00	Nathaniel Teal	St. Joseph,	do
670 W fr. N W		670	W	fr.	N	W		77	93	2	89	225	21	Card Blake	St. Joseph,	do
671 W 1-2 S W	qr	671	W	1-2	S	W	qr	80	05	2	00	160	00	same	Shelby	do
672 E 1-2 N W		672	E	1-2	N	W		79	70	2	85	227	14	Nathaniel Teal	St. Joseph	do
673 W 1-2 N W	qr	673	W	1-2	N	W	qr	79	70	3	85	306	84	Ward Blake	Laporte,	do
674 E 1-2 N W		674	E	1-2	N	W		80	53	1	81	145	75	Wilson Malone	Dearborn,	do
675 W 1-2 "	qr	675	W	1-2	"		qr	80	53	1	33	107	10	same	Clinton	do
676 E 1-2 S E	qr	676	E	1-2	S	E	qr	80	17	1	50	120	25	James Walker	St. Joseph	do
677 W 1-2 S E	qr	677	W	1-2	S	E	qr	80	17	1	81	145	10	same	do	do
678 E 1-2 S W	qr	678	E	1-2	S	W	qr	80	17	1	80	144	30	same	do	do
679 W 1-2 S W	qr	679	W	1-2	S	W	qr	80	17	2	01	161	14	same	do	do
680 E fr S E	qr	680	E	fr	S	E	qr	72		1	25	90	00	Josiah Borton	Cass	do
681 W 1-2 S E	qr	681	W	1-2	S	E	qr	78		1	25	97	50	George Baker	St. Joseph	do
682 E 1-2 N W	qr	682	E	1-2	N	W	qr	78	87	1	25	98	58	Grove Pomeroy	do	do
683 E 1-2 S E	qr	683	E	1-2	S	E	qr	80	05	1	62	129	68	Alexander Wilson	St. Joseph	do
684 W 1-2 "	qr	684	W	1-2	"		qr	79	90	1	35	107	86	David Winchill	Montgomery	do
685 E 1-2 N E	qr	685	E	1-2	N	E	qr	80		1	25	100	00	Isaac Elston	Putnam	do
686 E 1-2 S E	qr	686	E	1-2	S	E	qr	80	89	1	25	101	11	Andrew Gardner	Shelby,	do
687 W 1-2 S E	qr	687	W	1-2	S	E	qr	80	89	1	25	101	11	same	St. Joseph	do
688 E 1-2 S E	qr	688	E	1-2	S	E	qr	80		1	25	100	00	John Walker,	St. Joseph	do
689 E 1-2 N E	qr	689	E	1-2	N	E	qr	79	30	1	25	99	12	David Winchell		do

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690	W 1-2 S W qr	24	36	3 W	79	09	1	25	98	86	John Sailor	Laporte	do
691	W 1-2 N W qr	30	38	1 E	80		1	25	100	00	John Dickey	Butler	Ohio
692	W 1-2 N W qr	"	"	"	74	62	1	25	93	27	same		
693	E 1-2 S W qr	25	36	3 W	79	90	1	25	99	87	David Winchell	St. Joseph	Ind
694	N pt of fr'1 S 1-2 E M R	12	M.R., in ind c.	"	130	52	1	25	163	15	John Sering	Jefferson	do
695	S pt fr'1 S 1-2 E M R	"	"	"	127	52	1	25	159	40	same	do	do
696	N pt of S W, W M R	"	"	"	30	48	1	25	38	10	same	do	do
697	S 1-2 N E fr E M R	15	"	"	66	48	1	51	100	38	Samuel D. Tabor	St. Joseph	do
698	N 1-2 N W fr W M R	16	"	"	67	52	1	27	85	75	same	do	do
699	S 1-2 N W fr W N R	17	"	"	17	52	1	52	26	63	William H. Campbell	Shelby	do
700	N 1-2 S E fr E M R	"	"	"	129	48	1	57	203	28	John Dickey	Butler	Ohio
701	S 1-2 " " "	"	"	"	115	48	1	65	190	54	Hamilton & Tabor,	Allen & Cass,	Ind
702	N 1-2 S W fr W " "	"	"	"	31	52	1	50	47	28	W. H. Campbell	Shelby	do
703	S 1-2 " " "	"	"	"	45	52	1	80	81	93	same	do.	do
704	S 1-2 N E fr E M R	18	"	"	87	48	1	50	131	22	Hamilton & Tabor,	Allen & Cass	do
705	N 1-2 N W fr W M R	"	"	"	59	52	1	73	102	96	William H. Campbell	Shelby	do
706	S 1-2 " " "	"	"	"	73	52	1	81	133	07	same	do	do
707	S 1-2 N E fr E M R	19	"	"	72	72	1	50	109	08	John Walker	Shelby	do
708	N 1-2 S E fr " "	"	"	"	57	48	1	50	86	22	same	do	do
709	S 1-2 " " "	"	"	"	43	48	1	50	65	22	same	do	do
710	N 1-2 S W fr W M R	"	"	"	103	52	1	51	156	31	Eljah Booth	Cass	do
711	S 1-2 N E fr E M R	20	"	"	93		2	00	186	00	Benjamin Sailor	Clinton	do
712	N 1-2 N W fr W M R	"	"	"	52		1	25	65	00	George Caldwell	Cass	do
713	S 1-2 " " "	"	"	"	68		1	50	102	00	same	do	do
714	N 1-2 S E fr E M R	"	"	"	79	74	1	50	119	61	same	do	do
715	N 1-2 " " "	24	"	"	74	98	2	06	154	45	Alexander Wilson	do	do
716	S 1-2 " " "	"	"	"	71	89	1	25	89	86	George Clymer	do	do



717 None issued of this No.  
 718 S 1-2 N W fr W M R  
 719 S 1-2 S W fr " "  
 720 N 1-2 N W fr " "  
 721 N 1-2 N E fr E M R  
 722 S 1-2 N W fr W M R  
 723 S 1-2 S E fr E M R  
 724 S 1-2 S W fr W M R  
 725 N 1-2 N E fr E M R  
 726 N 1-2 N W fr W M R  
 727 Middle fr of N E fr E M R  
 728 S 1-2 N W fr W M R  
 729 N 1-2 S E qr  
 730 S 1-2 S E qr  
 731 N 1-2 N W fr W M R  
 732 S 1-2 " "  
 733 N 1-2 S W fr " "  
 734 S 1-2 " " "  
 735 N 1-2 " " "  
 736 S 1-2 " " "  
 737 N 1-2 " " "  
 738 Fr 1 S E qr  
 739 E 1-2 N E qr  
 740 E 1-2 S E " "  
 741 W 1-2 " " "  
 742 E 1-2 S W " "  
 743 W 1-2 S W qr

Oct. 19.

24	"	82	93	1	25	103	66	Joseph Ruckman	Cass	do
25	"	96	52	1	50	144	78	William Polke	Knox	do
27	"	96	52	1	50	144	78	same		
29	"	99	11	1	25	123	88	same		
"	"	71		1	25	88	75	same		
31	"	82		3	00	246	00	Alexander Chamberlin	Cass	do
"	"	79		1	25	98	75	Lot N. Bozarth	do	do
32	"	82	12	1	25	102	65	Alexander Chamberlin	do	do
"	"	78	78	1	25	98	47	Lot N. Bozarth	do	do
"	"	2	12	1	25	2	65	William Polke	do	do
33	"	57	48	1	25	71	85	John Elam	Knox	do
"	"	80	36	1	25	100	45	Thomas Martin	Switzerland	do
"	"	80	36	1	25	100	45	Jacob R. Hall	Marion	do
34	"	73	48	1	40	102	87	Harrison Barnett	Cass	do
"	"	63	48	1	25	79	35	same	do	do
"	"	52	98	1	25	66	22	Jacob R. Hall	do	do
"	"	43	98	1	25	54	97	Thomas Martin	Marion	do
37	"	31	72	2	25	39	65	Nathaniel Teal	Shelby	do
"	"	18	98	1	25	23	72	Jacob Bowman	Cass	do
41	"	60	24	1	25	75	30	Natnaniel Teal	Shelby	do
15	29	101	55	1	25	126	93	W. Scott & A. Wilson	Cass	do
13	36	79	47	1	31	104	10	Benjamin Sailor	Clinton	do
4	"	79	65	1	25	99	56	J. & P. Landis	Marion	do
"	"	79	65	1	25	99	56	same		
"	"	79	65	1	25	99	56	John Sering	Jefferson	do
"	"	79	65	1	39	110	71	same,		

744E 1-2 N W	qr	"	"	79 88	1 33	106 24	Alexander M'Alister	Cass	do
745W 1-2 "	"	"	"	79 88	1 41	112 63	same		
746E 1-2 N E	qr	38	4 W	80	1 25	100 00	John Walker,	Shelby,	do
747W 1-2 "	"	37	"	80	1 25	100 00	same.		
748S pt S W fr W M R		14	ld's in ind. c.	80 52	1 25	100 65	same		
749S 1-2 of fr'1 N 1-2 E M R		17	"	143 48	1 25	179 35	same		
750S 1-2 of S E fr E M R		16	"	51 48	1 25	64 35	same		
751N 1-2 N W fr W M R		17	"	5	1 50	7 50	William H. Campbell	Shelby	Ind
752N 1-2 N E fr E M R		20	"	109	1 25	136 25	Lewis Morgan	do	do
753W 1-2 S E qr		9	2 W	80	1 26	100 80	Robert S. Morrison	Laporte	do
754E 1-2 S E qr		23	4 W	79 49	1 25	99 36	Sidney Williams	Boone	do
755E 1-2 N W qr		21	5 E	80	1 29	103 20	John Dickey	Butler	Ohio
756W 1-2 fr'1 N W qr		"	"	63 51	1 26	80 02	same	do	do
757S 1-2 S E fr E M R		26	s. ind. country	64 48	1 25	80 00	William Polke,	Knox,	Ind
758E 1-2 S E qr		10	37   2 W	80	1 25	100 00	Alexander Blackburn	Laporte	do
759N 1-2 S E fr E M R		23	s. ind. country	87 33	1 25	108 16	John Walker,	Shelby,	do
760N 1-2 N W fr W M R		"	"	67 53	1 25	84 41	same	do	do
761E 1-2 S E qr		5	36   2 W	80	1 25	100 00	John Sering	Jefferson	do
762N W fr		27	37   3 W	5 50	4 01	22 06	Sidney Williams	Boone	do
763N 1-2 N W fr W M R		44	s. ind. country	90 82	1 25	113 52	John Hinton	Cass	do

\$2,412 59 End of 4th day's sale,  
 5,724 45 Am't of 3d day's do.  
 7,979 78 do 2d do.  
 6,518 69 do 1st do.

22,635 51 Total am't of sales in Oct. 1832.

# [E. No. 3.]

## Register of Certificates given for Michigan Road Lands sold at private sale.

Date.	No. of cert	Description.	Sec.	Town.	Range.	Acres.	Pr. Ac'r	Am't	Purchasers' names and residence.
1832.									
Oct. 20	764	w 1-2 n w qr	4	36	4 W	76 30	1 25	95 37	Adam G. Polke Laporte Ind.
	765	n 1-2 n w, w m r	26	Indian	lands.	96 52	1 25	120 65	Alexander M'Alister Cass do
	766	fr'l sec.	35	29	5 E	87 20	1 25	109 00	Jonathan Mount Franklin do
	767	n w qr	15	28	"	160 00	1 25	200 00	Samuel Merrill Marion do
	768	s w qr	"	"	"	160 00	1 25	200 00	same
	769	n e qr	2	"	"	213 12	1 25	266 40	Jonathan Mount Franklin do
	770	w 1-2 s e qr	3	"	"	80	1 25	190 00	David Mount do
	771	e 1-2 s w qr	"	"	"	80	1 25	100 00	same
" 23	772	s e qr	29	37	1 W	160	1 25	200 00	John Hefner Tippecanoe do
	773	w 1-2 n e qr	"	"	"	80	1 25	100 00	Thomas Sheridan do
	774	n e fr qr	31	"	"	112 49	1 25	140 62	same
" 25	775	n 1-2 s e fr e m r	32	Indian	lands.	88 52	1 25	110 62	John Lindsey Cass do
	776	s 1-2 n e fr e m r	33	"	"	103 52	1 25	129 37	same
	777	s 1-2 n w fr w m r	32	"	"	78 78	1 25	98 37	Alexander Wilson do
" 27	778	s 1-2 s w fr w m r	19	"	"	117 52	1 25	146 87	John Compton Adams Ohio
" 29	779	s w qr	31	37	3 E	159 52	1 25	199 37	Tobias Miller Union Ind
	780	w 1-2 n e qr	30	38	1 E	80	1 25	100 00	Charles Woolverton St. Joseph do
	781	w 1-2 s e qr	12	36	2 E	77 93	1 25	97 50	same do
	782	n 1-2 n w fr w m r	11	"	"	121 02	1 25	151 25	same do
	783	s 1-2 n e fr e m r	44	Indian	lands.	80 50	1 25	100 62	Peter W. Demoss Cass do

Oct. 30	784s 1-2 n e f r e m r	45	Indian lands.	103 01	1 25 128 76	same	do	do
Nov. 5	785s f r n e q r	12	37   4 E	66 08	1 2 82 60	John Buckles	St. Joseph	do
" 6	786n e f r e m r	34	Indian lands.	184 04	1 25 230 00	William Moore	Cass	do
" 8	787n 1-2 n w f r w m r	37	" "	59 48	1 25 74 37	James Elliot	do	do
" 9	788s 1-2 n w f r w m r	"	" "	45 22	1 25 56 53	John Elliot	do	do
" 10	789n 1-2 n w f r w m r	38	" "	63 48	1 25 79 37	Oliver W Collins	do	do
" 11	790w 1-2 s w q r	25	37   4 W	80	1 25 100 00	Lewis Keith	Door Prairie	do
" 12	791n 1-2 n e f r e m r	17	Indian lands.	157 48	1 25 196 87	John Walker,	Shelby,	do
" 13	792e 1-2 n e q r	29	37   1 W	80	1 25 100 00	same		do
" 14	793e 1-2 s w q r	20	" "	80	1 25 100 00	same		do
" 15	794w 1-2 s w q r	"	" "	80	1 25 100 00	same		do
" 16	795e 1-2 s e q r	"	" "	74 20	1 25 92 75	same		do
" 17	796w 1-2 s e q r	"	" "	80	1 25 100 00	same		do
" 18	797s 1-2 n e f r e m r	23	Indian lands.	90 42	1 25 113 12	same		do
" 19	798w 1-2 n w q r	22	38   1 E	80	1 25 100 00	John Egbert	St Joseph	Ind
" 20	799e 1-2 n e q r	15	" "	80	1 25 100 00	William Hague	do	do
" 21	800w 1-2 n w q r	9	36   2 E	81 96	1 25 102 45	Adam G. Polke	do	do
" 22	801n 1-2 s e f r e m r	18	Indian lands.	73 48	1 25 91 85	John Sering	Jefferson	do
" 23	802s 1-2 s e f r e m s	"	" "	58 48	1 25 73 10	same	do	do
" 24	803s 1-2 s w f r w m r	22	" "	103 00	1 25 128 75	same	do	do
" 25	804h 1-2 s e f r e m r	26	" "	64 48	1 25 80 60	William Polke,	Knox,	do
" 26	805n 1-2 s w f r w m r	"	" "	96 52	1 25 120 65	same	do	do
" 27	806n 1-2 n w f r l q r	2	28   5 E	137 71	1 25 172 14	S. Merrill & D. Mount,	Marion	do
" 28	807s 1-2 n w f r q r	"	" "	80	1 25 100 00	same	do	do
" 29	808e 1-2 s e q r	3	" "	80	1 25 100 00	same	do	do
" 30	809s 1-2 s e f r e m r	20	Indian lands.	65 24	1 25 81 55	Nathaniel Williams	Cass	do
" 31	810e 1-2 s e q r	36	38   2 E	80	1 25 100 00	Stephen T. Badin	St. Joseph	do
" 32	811w 1-2 s e q r	"	38   "	77 67	1 25 97 09	same	do	do



" 12	812s pt of n e f r e m r	11	36	2 E	46 48	1 25 58	10 John Henson	do	do
" 13	813 w q r	30	37	4 E	158 83	1 25 138	50 George Welslar	do	do
" 14	814 w 1-2 s e q r	30	37	"	80	1 25 100	00 same		
" 15	815 n 1-2 s w f r w m r	24	indian	lands.	86 02	1 25 107	52 Jacob Cummins	Cass	do
" 16	816 e 1-2 s e q r	23	38	1 E	80	1 25 100	00 David Miller	St. Joseph	do
" 17	817 w 1-2 s e q r	22	"	1 W	80	1 25 100	00 John Egbert	do	do
" 18	818 s 1-2 s w f r w m r	22	36	2 E	133 52	1 25 166	90 John Sering	Jefferson	do
" 19	819 s e f r e m r	22	"	"	27 48	1 25 34	35 William Polke	Knox	Ind.
" 20	820 n 1-2 s w f r	15	indian	lands.	80 50	1 25 100	62 same	do	do
" 21	821 e f r e	30	38	2 E	93 09	1 25 116	36 Stephen T. Badin	St. Joseph	do
" 22	822 s 1-2 f r s w	30	indian	lands.	15 24	1 25 19	05 William Williamson	Tippecanoe	do
" 23	823 n 1-2 f r s w	30	same	same	28 48	1 25 35	60 John Tipton	Cass	do
" 24	824 n e q r	4	36	2 W	159 76	1 25 199	70 Hiram Todd	Cass	do
" 25	825 w 1-2 s e q r	23	"	4 W	79 49	1 25 99	36 same	do	do
" 26	826 e 1-2 n w q r	30	37	1 W	80	1 25 100	00 John Egbert	St. Joseph	do
" 27	827 w f r n w	30	"	"	32 43	1 25 40	53 same	do	do
" 28	828 s 1-2 n e f r e m r	31	Indian	lands.	82	1 25 102	50 David Vinedge	Wayne	do
" 29	829 n 1-2 s e f r e m r	31	"	"	82	1 25 102	50 same	do	do
" 30	830 s 1-2 s e f r e m r	37	"	"	142	1 25 177	50 Thomas Martin	Marion	do
" 31	831 s 1-2 s w f r w m r	32	"	"	68 48	1 25 85	60 William Miller	Boon	do
" 32	832 n 1-2 n e f r e m r	33	"	"	97 52	1 25 121	90 Alexander Chamberlain	Cass	do
" 33	833 e f r e	11	37	3 E	79 31	1 25 99	13 Alexander Coquillard	St. Joseph	do
" 34	834 e 1-2 s w q r	12	36	3 W	79 61	1 25 99	51 George F. Turner	Cass	do
" 35	835 s 1-2 n e f r e m r	24	Indian	lands.	78 07	1 25 97	58 Alexander Wilson	do	do
" 36	836 n 1-2 n w f r w m r	33	"	"	63 48	1 25 79	35 Jacob R. Hall	Cass,	do
" 37	837 s 1-2 n w f r w m r	26	"	"	96 52	1 25 120	65 Alexander M'Alister	Cass	do
" 38	838 s 1-2 n e f r e m r	26	"	"	64 48	1 25 80	60 William Polke	Knox	do
" 39	839 w f r s w q r	12	37	3 E	78 36	1 25 97	95 Jacob Bell	St. Joseph	do

Nov. 21	840w 1-2 s e qr	24	36	3 W	79 09	1 25	98 86	William Sutton	Hancock	Ind
	841e 1-2 s w qr	25	37	2 W	79 09	1 25	98 86	Jared Chapman	do	do
	842e 1-2 n e qr	28	37	2 W	80	1 25	100 00	same		
	843w 1-2 n e qr	12	37	3 W	80	1 25	100 00	John Walker,	Shelby,	Ind.
	844w 1-2 s w qr	3	37	2 W	80	1 25	100 00	same		
	845e 1-2 s w qr	3	37	2 W	80	1 25	100 00	same		
	846w 1-2 s w qr	13	36	3	79 47	1 25	99 32	Benjamin Sailor	Clinton	do
	847w 1-2 n e qr	3	37	2	80	1 25	100 00	J. hn Walker,	Shelby,	do
	848w 1-2 s e qr	13	37	2	80	1 25	100 00	same		
	849w 1-2 n w qr	3	37	2	80	1 25	100 00	same		
	850e 1-2 s w qr	3	37	2	80	1 25	100 00	same		
	851w 1-2 s w qr	3	37	2	80	1 25	100 00	same		
	852w 1-2 s e qr	24	37	2	80	1 25	100 00	same		
	853e 1-2 s w qr	3	37	2	80	1 25	100 00	same		
	854e 1-2 s w qr	8	37	2	80	1 25	100 00	same		
	855w 1-2 s w qr	3	37	2	80	1 25	100 00	same		
	856e 1-2 n w qr	2	37	2	80	1 25	100 00	same		
	857w 1-2 n w qr	3	37	2	80	1 25	100 00	same		
	858e 1-2 n w qr	14	37	2	80	1 25	100 00	same		
	859s 1-2 s w fr w m r	35	37	2	38 98	1 25	48 72	Henry M. Collins	Morgan	Ind
	860n 1-2 n w fr w m r	36	37	2	49 48	1 25	61 85	same		
	861w 1-2 s e qr	13	37	2 W	80	1 25	100 00	John Walker	Shelby	Ind.
	862w 1-2 n w qr	17	37	1	80	1 25	100 00	same		
	863w 1-2 n w qr	14	37	2	80	1 25	100 00	same		
	864e 1-2 s e pt	20	29	6 E	105	1 25	131 25	David Mount	Franklin	do
	65 s e qr	29	29	6	160	1 25	200 00	same		
	866w 1-2 s w qr	28	29	6	80	1 25	100 00	same		
	867w 1-2 s w qr	21	29	6	80	1 25	100 00	same		
	868frac n w	21	29	6	60 65	1 25	75 81	same		

ERRATA.—In 7th line from the bottom of page 6, read 9,219  
acres 82-100 for 92,191 84.

[B.]

2000 8-490

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**REPORT**  
OF THE  
**COMMITTEE OF WAYS AND MEANS,**  
ON THE  
**STATE OF THE FINANCES.**

---

THE  
PUBLIC COLLECTION OF  
THE  
LIBRARY OF THE  
CITY OF BOSTON  
AND  
THE  
LIBRARY OF THE  
MUSEUM OF COMPARATIVE ZOOLOGY  
AND  
THE  
LIBRARY OF THE  
HARVARD-YENCHING INSTITUTE  
OF CHINESE STUDIES  
AND  
THE  
LIBRARY OF THE  
HARVARD-YENCHING INSTITUTE  
OF CHINESE STUDIES



# REPORT

OF THE

## COMMITTEE OF WAYS AND MEANS.

---

MR. PALMER, from the committee of Ways and Means made the following report:

MR. SPEAKER,

The committee of ways and means, whose duty it is to examine the offices of Auditor and Treasurer of State, to ascertain the condition of the Treasury; the receipts and expenditures; the probable debt, and generally the present condition, and prospective view of the finances of the State; have discharged that duty, and now submit the following report: That, as far as the committee have extended their examination, the books, papers, entries and calculations are correct. A perfect harmony in the accounts, vouchers and warrants between the two offices exists, and the several duties devolving upon those officers, are faithfully and diligently performed.

The following abstracts numbered 1, 2, 3, 4, and 5, present a detailed view of the public finances.

Abstract No. 1, contains a statement of the assessment, collection and payment into the Treasury for the year 1832, by which it appears that the nett amount for the Treasury was \$39,397 32. That the actual payments into the Treasury up to the 1st present month, was 38,714 76, which, with the sum of \$519 65 subsequently paid, leaves an outstanding balance of the revenue of 1832 of *only* \$135 05, affording an example of promptness in the collection and payment of the public revenue, highly creditable to the State, and beyond any former example.

Abstract No. 2, contains a statement of the receipts and expenditures of 1832, commencing with the 1st January and ending the 31st December, by which it appears that the balance in the Treasury on the 1st January, 1833 was \$58,284 49.

No. 3, presents an exhibit of balances due the State, from collectors.

No. 4, presents an exhibit of the situation of the Treasury on the 1st day of January, 1833.

No. 5, contains an estimate of the receipts and expenditures for 1833, by which it is anticipated, that there will be in the Treasury on the 1st day of January 1834 the sum of \$43,313 00 to meet the expenses of that year.

From this view of the state of the finances, the committee are gratified to find, that although our expenditures are gradually increasing; yet the increase of the public revenue, more than corresponds with the additional expenditures, affording the encouraging belief, that the Government may continue its ordinary operations for years to come, without imposing any additional burthens upon the people.

N. B. PALMER, Chairman.

(TABLE No. 1.)

Counties.	Unlisted Delinquents &c.	Assessment with the foregoing.	Delinquents	Commission.	County orders.	Mileage.	Nett amount for treasury.	Cash rec'd.	Balance due.
Allen	10 50	196 82	29 05	15 05		9 00	113 22	143 22	
Bartholomew	7 71	689 84	29 05	59 47		2 52	598 80	598 80	
Boon	1 50	132 99	21 71	10 01		1 41	99 83	99 83	02
Carroll		273 30	12 38	23 66		5 21	234 05	234 05	
Cass	2 04	129 54	38 61			4 20	86 73	86 73	
Clark	31 89	1933 63	357 54	141 84		7 00	1427 25	1427 25	
Clay		168 54	24 58	12 95		3 90	127 11	65 00	62 11
Clinton	2 25	178 53		16 06		3 06	159 41	159 41	01
Crawford	1 94	320 22	26 21	26 55		7 62	260 84	260 84	
Daviess	26 97	614 21	47 28	51 02		7 20	508 71	508 71	
Dearborn	11 85	1806 02	203 29	144 24		5 34	1453 15	1453 15	
Decatur		898 20	23 14	78 75	15 75	3 00	777 56	777 56	04
Delaware		188 29	18 09	15 31		3 00	151 29	151 25	
Dubois		212 66	20 14	17 33	80	7 20	167 19	167 19	02
Elkhart	3 75	125 25	19 50	9 52		9 90	86 33	86 33	
Fayette	17 08	1303 97	151 70	103 70	2 75	3 36	1042 46	1042 46	90
Floyd	8 83	753 78	151 18	54 27		7 80	540 53	539 00	
Fountain	26 85	1083 66	180 13	81 92		4 50	817 05	817 05	
Franklin	21 09	1359 75	94 56	113 86		4 40	1147 13	1147 13	
Gibson		849 28	37 02	73 10		9 00	729 56	729 56	63

Counties.	Unlisted lands, &c.	Delinquents of former years.	Assessments with the foregoing.	Delinquents	Commission	County orders.	Mileage.	Nett amount or treasury.	Cash rec'd	Balance due.
Grant			73 21	5 23	6 12		4 74	57 10	57 10	
Green	23 91		471 43	35 54	39 23		4 4	392 22	392 22	
Hamilton			322 42	31 91	26 14		1 32	263 05	263 05	
Hancock			242 91	14 13	20 59		1 20	206 93	206 93	
Harrison	19 01		1351 37	71 50	115 18	1 00	8 03	1155 69	1155 69	
Hendricks	27 30		578 16	31 24	49 22		1 22	496 50	496 50	
Henry	13 12		924 32	49 91	78 70	6 09	3 22	786 32	786 32	
Jackson	60 71		729 55	35 45	62 46		4 32	627 26	627 26	
Jefferson	29 95		1432 93	197 51	111 18		5 1	1119 14	1119 14	
Jennings	24 82		563 42	19 27	48 97	90	3 92	490 39	490 40	
Johnson			628 82	29 06	53 97		1 2	541 59	541 59	
Knox	53 78	108 29	1269 36	244 40	92 25		9 0	923 71	923 71	
Lagrange			56 25		5 06		12 6	38 59	38 59	
Laporte			52 13	8 62	3 91		16 5	23 10	23 10	
Lawrence	17 21		1213 32	119 81	98 41		4 8	977 58	977 56	02
Madison	25 39		365 26	37 91	24 06		2 4	210 89	240 88	01
Marion	55 21	71 25	1657 91	189 57	104 30	16 14		1047 90	1049 50	
Martin	15 51	203 29	490 31	202 67	25 88		6 0	255 76	200 00	55 76
Menroe	12 71		752 90	87 39	59 88		3 12	592 08	592 06	02
Montgomery	12 42	10 12	1185 04	21 81	104 69	10 43	2 76	1011 56	1011 56	
Morgan	38 44		712 46	65 27	58 24	53 87	1 80	533 28	533 25	02
Orange			878 30	66 58	73 05		6 00	732 67	732 67	



Owen	23 98	17 41	534 38	65 61	42 18		3 1	423 41	423 41	423 41
Parke		8 2	1083 76	47 91	93 22	5 41	4 5	932 66	932 66	932 66
Perry			374 44	3 68	33 36		9 9	327 50	327 50	327 50
Pike	5 15		365 02	42 04	29 07		7 5	286 41	286 41	286 41
Posey	4 68		939 22	32 85	81 57		12 0	812 80	812 80	812 80
Putnam	128 9		1113 20	85 57	93 05	96	2 52	931 10	931 10	931 10
Randolph	29 88	12 5	536 86	50 83	43 74	5 08	4 80	432 41	432 41	432 41
Ripley	76 0		659 11	38 63	55 84		4 32	560 35	560 35	560 35
Rush	56 2		1700 52	86 01	145 84	11 10	2 52	1461 04	1461 04	1461 04
Scott	4 5		488 36	24 43	41 75	3 09	6 00	413 09	413 09	413 09
Shelby	21 2		969 39	51 69	82 59	35 76	1 50	797 79	797 79	797 79
Spencer	25 1		419 23	28 66	35 15	40 91	9 23	305 21	305 21	305 21
St. Joseph	8 6	8 50	100 62	10 12	8 14		14 40	67 96	67 96	67 96
Sullivan	2 4		739 85	49 02	62 17	4 95	6 00	617 59	617 59	617 59
Switzerland			1025 49	148 72	78 90		6 00	791 87	791 87	791 87
Tippacanoe	69 7		803 24	91 29	64 07		4 5	643 38	643 38	643 38
Union	9 4	15 37	1028 17	64 37	86 74	77	4 76	871 54	871 54	871 54
Vanderburgh	11 3		373 80	18 50	31 98		11 13	312 22	312 22	312 22
Vermillion	43 4		725 14	99 31	56 32		5 40	564 10	564 10	564 10
Vigo	10 0	80 92	1263 15	219 88	91 19	48	4 77	916 85	916 85	916 85
Washington	50 2		1548 10	48 58	134 95	54 18	6 00	1304 39	1304 39	1304 39
Warren	15 2		306 80	39 60	24 04		4 80	238 36	238 36	238 36
Warrick		48	392 91	16 29	33 89		10 88	331 93	331 93	331 93
Wayne	42 04		2286 56	107 66	196 10		3 78	1979 02	1979 02	1979 02
	1210 07	1045 6	48589 56	4349 23	3955 95	327 48	363 17	39397 32	38714 76	684 20

STATEMENT No. 2.—Receipts and Expenditures during the year  
1832, commencing 1st of January, and ending 31st December.

RECEIPTS.

Amount in Treasury 1st January, 1832		74391 81
Rec'd on account of revenue for 1823	230 40	
" " " 1828	150 00	
" " " 1830	78 00	
" " " 1831	1125 07	
" " " 1832	38714 76	
		40298 23
Indianapolis Agency	- - -	8068 24
Estates without heirs	- - -	26 82
Contingent fund refunded	- - -	55 00
Loans refunded	2960 00	
Interest on loans	2086 45	
Com'rs Gibson and Monroe townships	2221 08	7267 53
Wabash and Miami Canal		4528 52
Michigan Road lands	- - -	50873 18
Salt Springs	- - -	238 14
		\$185747 47

## STATEMENT No. 2—Continued.

## EXPENDITURES.

Conscientious fines distributed	-	-	36 00
Salaries of Governor, Secretary, Treasurer and Auditor	-	-	2580 29
Expenses of election of President	-	-	417 54
" contingent	-	-	856 35
Supreme and Circuit Judges	-	-	6947 53
Members, Clerks and Door-keepers of Legislature	-	-	16051 02
Adjutant and Quar. Master Generals	-	-	145 71
Prosecuting Attornies	-	-	1245 23
Probate Judges	-	-	2122 50
Wolf Scaips	-	-	877 00
State Prison	-	-	2037 79
Specific appropriations	-	-	1190 64
Seat of Government	-	-	342 85
Wabash and Erie Canal	-	-	28753 00
Public Printing	-	-	4741 66
Indiana College	-	-	2508 68
Salt Springs	-	-	25 00
State Library	-	-	100 00
Treasury notes destroyed	-	-	5 00
Michigan Road scrip redeemed	-	-	45594 29
Michigan road	-	-	3706 40
Loans of College funds	-	-	7148 50
Balance in Treasury 1st Jan. 1833	-	-	58284 49
			<hr/>
			\$185747 47

STATEMENT No. 3—List of balances due the State from Collectors.

Countries	1821	1822	1823	1824	1825	1826	1827	1828	1831	1832	Total.
Allen						27 43					27 43
Clark			665 0								665 06
Cass								13 93			13 92
Clay						9 45				62 11	71 56
Dearborn									96 12		96 12
Dubois*		19 00	214 59								233 59
Decatur								208 48			208 48
Floyd	35 93	184 59	733 84			32 43					1014 36
Henry			25 34								57 77
Jackson		224 99					84 03				309 02
Jefferson			54 74		70 18						134 92
Madison							50 89				50 89
Martin		203 92	217 19							55 76	476 87
Parke									6 93		6 93
Pike									65 75	236 41*	352 16
Perry†			175 00								175 00
Scott				104 32		293 05	270 33	306 0			973 74
Shelby					54 10						54 10
Spencer‡										263 24	263 24
St. Joseph										15 71	15 71
Switzerland					675 91		303 83				979 74

\*The balances from Dubois were, on a late trial testified by Judge Goodlett to have been paid to Dr. Lilly, when Auditor.

†The balance from Perry is in the hands of Wm. P. Thomasson.

‡The balance from Spencer and Pike for 1832, has since been paid in full.



STATEMENT No. 4, *Exhibits the situation of the Treasury on the 1st of January, 1833.*

**TREASURY.**

Amount of cash in Treasury 1st January 1833	\$58284 49
Anticipations of the College Funds -	2866 62
“ Michigan Road Funds -	3275 51
Estimate of balances due from Collectors, which will be paid during the year 1833 -	1500 00
	<hr/>
	\$65926 62
Deduct as per contra	23796 62
	<hr/>
Balance in favor of Treasury	\$42130 00

**PUBLIC DEBT.**

Canal Fund - - - - -	148 56
Indianapolis Fund - - - - -	21697 11
Conscientious fines to be distributed -	530 50
Estates without heirs - - - - -	1420 45
	<hr/>
	\$23796 62

STATEMENT No. 5. *Estimate of Receipts and Expenditures for the year 1833.*

**RECEIPTS.**

Amount as above available for expenses of the year 1833 - - - - -	42130 00
Estimate of receipts from the taxes to be assessed for the year 1833 - - - - -	41000 00
	<hr/>
	83130 00
Deduct expenses of 1833 as per contra	40000 00
	<hr/>
Leaving for expenses of 1834 - - -	\$43130 00

## STATEMENT No. 5—Continued.

## EXPENDITURES.

Legislature	-	-	-	-	-	16500 00
Printing and Stationary	-	-	-	-	-	4500 00
Specific appropriations	-	-	-	-	-	1500 00
Judiciary	-	-	-	-	-	7900 00
Prosecutors	-	-	-	-	-	1250 00
Probate Judges	-	-	-	-	-	2500 00
Executive	-	-	-	-	-	2600 00
Adj't. and Quar. Master Generals	-	-	-	-	-	150 00
Contingent Fund	-	-	-	-	-	1000 00
Wolf scalps	-	-	-	-	-	1000 00
State Library	-	-	-	-	-	100 00
State Prison	-	-	-	-	-	1000 00
						<hr/>
						\$40000 00









